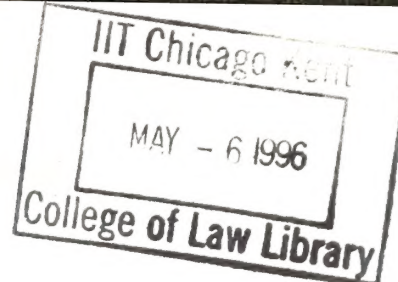


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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1996

| Material Rec'd after 12:00 p.m. on: | And before 12:00 p.m. on: | Will be in Issue #: | Published on: | Material Rec'd after 12:00 p.m. on: | And before 12:00 p.m. on: | Will be in Issue #: | Published on: |
|----------------------------------------|------------------------------|------------------------|------------------|----------------------------------------|------------------------------|------------------------|---------------------|
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| Dec. 26, 1995 | Jan. 2, 1996 | 2 | Jan. 12, 1996 | July 2, 1996 | July 9, 1996 | 29 | July 19, 1996 |
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| Feb. 6, 1996 | Feb. 13, 1996 | 8 | Feb. 23, 1996 | Aug. 13, 1996 | Aug. 20, 1996 | 35 | Aug. 30, 1996 |
| Feb. 13, 1996 | Feb. 20, 1996 | 9 | Mar. 1, 1996 | Aug. 20, 1996 | Aug. 27, 1996 | 36 | Sept. 6, 1996 |
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| June 18, 1996 | June 25, 1996 | 27 | July 5, 1996 | Dec. 23, 1996 | Dec. 31, 1996 | 2 | Jan. 10, 1997 |

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Crow, Woodcock, Snipe, Rail and Teal Hunting

2) Code Citation: 17 Ill. Adm. Code 740

3) Section Numbers: Proposed Action:

740.10 Amendments

740.20 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code (520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5) and Migratory Bird Hunting (50 CFR 20, August 25, 1987).

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to open an additional area at the Union County Conservation Area for hunting and to change the name of Pike County Conservation Area to Ray Norout State Fish and Wildlife Area.

6) Will this rulemaking replace any emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION

SUBCHAPTER 5: FISH AND WILDLIFE

PART 740

CROW, WOODCOCK, SNIBE, RAIL AND TEAL HUNTING

Section

740.10 Statewide Regulations

740.20 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code (520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5) and Migratory Bird Hunting (50 CFR 20, August 25, 1987).

SOURCE: Adopted at 5 Ill. Reg. 8896, effective August 25, 1981; codified at 5 Ill. Reg. 10645; amended at 6 Ill. Reg. 357, effective December 23, 1981; amended at 6 Ill. Reg. 9648, effective July 21, 1982; amended at 7 Ill. Reg. 8815, effective July 15, 1983; amended at 8 Ill. Reg. 16796, effective August 30, 1984; amended at 9 Ill. Reg. 11820, effective July 15, 1985; paragraph amendments at 9 Ill. Reg. 14383, effective September 5, 1985; amended at 10 Ill. Reg. 15607, effective September 16, 1986; amended at 11 Ill. Reg. 9575, effective May 5, 1987; emergency amendments at 11 Ill. Reg. 18253, effective August 28, 1987, for a maximum of 150 days; emergency expired on January 25, 1988; amended at 12 Ill. Reg. 12861, effective July 15, 1988; amended at 13 Ill. Reg. 12869, effective July 21, 1989; amended at 14 Ill. Reg. 11207, effective June 29, 1990; amended at 15 Ill. Reg. 10057, effective June 21, 1991; amended at 16 Ill. Reg. 11162, effective June 30, 1992; amended at 17 Ill. Reg. 10877, effective July 1, 1993; amended at 18 Ill. Reg. 9998, effective June 21, 1994; amended at 19 Ill. Reg. 10577, effective July 1, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 740.10 Statewide Regulations

- a) Woodcock, snipe, crow and rail regulations are in accordance with Federal Regulations (50 CFR 20, effective August 26, 1990) (no incorporation in this Part includes later amendments or editions) unless the regulations in this Part are more restrictive.
- b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this Part, unless federal regulations are more restrictive.
- c) Woodcock

- 1) Season dates, daily limits and possession limits are in accordance with federal regulations.
- 2) Hunting hours: Sunrise to Sunset

d) Snipe (Common)

- 1) Season dates, bag limits and possession limits are in accordance

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- with federal regulations.
- 2) Hunting hours: Sunrise to Sunset
- e) Rail (Sora and Virginia)
- 1) Season dates, bag limits and possession limits are in accordance with federal regulations
- 2) Hunting hours: Sunrise to Sunset
- f) Teal
- 1) Teal regulations are in accordance with federal regulations, (50 CFR 20.103, effective August 26, 1990; 50 CFR 20.104, effective August 26, 1990; 50 CFR 20.105, effective August 26, 1990; 50 CFR 20.106, effective August 26, 1990; and 50 CFR 20.109, effective August 26, 1990), unless the regulations in this Part are more restrictive.
- 2) It shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20, effective August 29, 1990) (collectively referred to in this Part as federal regulations), or contrary to the Wildlife Code.
- 3) Hunting hours are sunrise - sunset.
- g) Crow
- 1) Season dates: July 1 through the next following August 15, and from December 15 through the next following March 1.
- 2) Hunting hours are sunrise - sunset.
- h) It shall be unlawful while attempting to take teal, rail or snipe to have in possession any shotgun shells not approved as non-toxic by federal regulations.
- i) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take woodcock, snipe, rail and teal. Instructions for registering are provided with issuance of hunting license.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 740.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the rules in 17 Ill. Adm. Code 510 apply in this Section, unless this Section is more restrictive.
- b) Woodcock, snipe and rail hunting; statewide regulations as provided for in this Part shall apply at the following areas (exceptions are in parentheses):
- Anderson Lake Conservation Area (closed 7 days before duck season)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Big Bend State Fish and Wildlife Area
- Big River State Forest
- Cache River State Natural Area
- Campbell Pond Wildlife Management Area
- Carlyle Lake Lands and Waters - Corps of Engineers managed lands
- Carlyle Lake Wildlife Management Area (sub-impoundment area closes 7 days prior to the southern zone waterfowl season)
- Crawford County Conservation Area
- Dog Island Wildlife Management Area
- Eldon Hazlet State Park (North of Allen Branch and west of Peppenhorst Branch only)
- Perne Clyffe State Park
- Ft. de Chartres Historic Site (hunting with muzzle loading shotgun only)
- Ft. Massac State Park
- Giant City State Park
- Hamilton County Conservation Area (statewide hours until rabbit season, then 8:30 a.m. to 4:00 p.m.)
- Horseshoe Lake Conservation Area (public hunting area except controlled goose hunting area)
- I-24 Wildlife Management Area
- Iroquois County Wildlife Management Area (season closes the day before permit pheasant season; 4:00 p.m. daily closing; sign in/out required)
- Jubilee College State Park (season coincides with Jubilee Upland season, 17 Ill. Adm. Code 530.110)
- Kankakee River State Park (woodcock only; during the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Kankakee River State Park)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to waterfowl season)

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area

Marseilles Wildlife Area (woodcock only; Monday - Thursday only through October)

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, and 18

Mississippi River Pools 21, 22 and 24

Oxford Conservation Area

Panther Creek Conservation Area

Peabody River King State Fish and Wildlife Area (West sub-unit only)

~~Pike County Conservation Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C)~~

Pyramid State Park

Ramsey Lake State Park (statewide hours until rabbit season begins; then 8:00 a.m. - 4:00 p.m.)

Randolph County Conservation Area (woodcock only)

~~Ray Nottut State Fish and Wildlife Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C)~~

Red Hills State Park (statewide hours until rabbit season, then 8:00 a.m. - 4:00 p.m.)

Rend Lake Project Lands and Waters

Rice Lake Wildlife Area (season open during teal season only; sunrise until 1:00 p.m.)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Saline County Fish and Wildlife Area

Sam Dale Lake Conservation Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Sam Parr State Park (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Sand Ridge State Forest (During the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Sand Ridge State Forest)

Sanganolis State Fish and Wildlife Area

Stephen A. Forbes State Park (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Tapley Woods State Natural Area (closed during firearm deer season)

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area

Union County Conservation Area (Firing Line Management Area only)

Washington County Conservation Area (woodcock only)

Weinberg-King State Park

Wildcat Hollow State Forest

c) Woodcock, snipe and rail hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by February 15 will result in loss of hunting privileges at that site for the following year.

Chauncey Marsh

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (woodcock only; 4:00 p.m. daily closing)

Hidden Springs State Forest (4:00 p.m. daily closing)

Kickapoo State Park (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Lake Shelbyville - Eagle Creek State Park (woodcock only; 4:00 p.m. daily closing)

~~Lake Shelbyville - Eagle Creek Wildlife Management Area (no-snipe or-rail hunting; 4:00 p.m. daily closing)~~

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Middlefork Fish and Wildlife Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (woodcock only; 4:00 p.m. daily closing; season closes the day before site's controlled pheasant season)

Site M (hunters are restricted to the Open Unit portion of the site during the controlled pheasant season, except those hunters who possess a valid quality unit upland permit)

Ten Mile Creek Fish and Wildlife Area

d) Teal hunting; statewide regulations as provided for in this Part shall apply on the following sites, except no permanent blinds allowed except as authorized in 17 Ill. Adm. Code 590.15, 590.20, 590.40 and 590.50 (exceptions are in parentheses):

Anderson Lake Conservation Area

Blanding Wildlife Area

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (waters of Peppenhorst Branch and Allen Branch north of the buoys only)

Chain O'Lakes State Park (hunting is allowed only from numbered blind sites. The blinds need not be completed)

Carlyle Lake Wildlife Management Area

Chauncey Marsh (permit required)

Des Plaines Conservation Area (hunting is allowed only from numbered blind sites; the blinds need not be completed)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Dog Island Wildlife Management Area

Pt. de Chartres Historic Site (hunting is allowed from anchored, portable boat blinds only; muzzleloading shotguns only)

Horseshoe Lake State Park (Madison County)

Horseshoe Lake Conservation Area - Public Hunting Area (Alexander County)

Kaskaskia River State Fish and Wildlife Area

Kidd Lake State Natural Area

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (site permit described in subsection 740.20(c) applies)

Lake Shelbyville - Corps of Engineers Managed Lands and Waters

Lake Sinissippi Conservation Area

Marshall State Fish and Wildlife Area (Spring Branch Unit & Sparland Unit)

Mississippi River Fish and Waterfowl Management Area (Mississippi River Pools 25 and 26)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

Pike County Conservation Area

Ray Norbut Fish and Wildlife Area

Rend Lake Project Lands and Waters

Rice Lake Fish and Wildlife Area (check in and check out required; sunrise until 1:00 p.m.)

Saline County Fish and Wildlife Area

Sanganois State Fish and Wildlife Area

Snake Den Hollow Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Stephen A. Forbes State Park (walk-in hunting in the subimpoundment only)

Ten Mile Creek State Fish and Wildlife Area (permit required)

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area Pteing-Bine-Management-Unit-only

Woodford Fish and Wildlife Area

e) Crow Hunting

- 1) Statewide regulations as provided for in this Part shall apply at the following sites (season dates in parentheses):

Mississippi River Pools 16, 17, 18

Panther Creek Conservation Area

Pike-County-Conservation-Area-(July-1---August-15)

Ray Norbut Fish and Wildlife Area

Sangamon State Fish and Wildlife Area (July 1 through August 15; day after goose season closes through March 1; non-toxic shot only)

- 2) Statewide regulations as provided for in this Part shall apply except hunting is permitted only during the second portion of the season at the following sites (season dates in parentheses):

Anderson Lake Conservation Area

Big Bend State Fish and Wildlife Area

Big River State Forest

Green River State Wildlife Area (January 1 - statewide closing)

- 3) All hunters must make a reasonable effort to retrieve downed birds. All crows must be removed from the site by the hunter.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Dove Hunting

- 2) Code Citation: 17 Ill. Adm. Code 730

- 3) Section Numbers:
730.10
730.20
730.30
Proposed Action:
Amendments
Amendments
Amendments

- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code (520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5).

- 5) A Complete Description of the Subjects and Issues Involved: Amendments to this Part add a requirement for licensed hunters to register in the Migratory Bird Harvest Information Program (HIP); provide for split dove season; clarify shot requirements; change name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area and Rail Splitter State Park to Edward R. Madigan State Fish and Wildlife Area.

- 6) Will this rulemaking replace any emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1787
217/782-1809

- 12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION
 SUBCHAPTER b: FISH AND WILDLIFE

PART 730
 DOVE HUNTING

Section

730.10 Statewide Regulations

730.20 Regulations at Various Department-Owned or -Managed Sites

730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 730.10 Statewide Regulations

- a) Dove regulations are in accordance with Federal Regulations, unless the regulations in this rule are more restrictive. (50 CFR 20.103, 1990)
- b) Season dates, daily limits and possession limits are in accordance with federal regulations.
- c) Hunting hours: Sunrise to sunset.
- d) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take doves. Instructions for registering are provided with issuance

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

of hunting license.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) General Regulations
 - 1) Hunters shall possess only bismuth or lead shot size #7 1/2, 8, 9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.
 - 2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7 1/2 bismuth shot or smaller may be possessed on the following areas:

Anderson Lake Conservation Area

Banner Marsh Fish and Wildlife Area

Cariyle Lake Wildlife Management Area (subimpoundments only)

Chain O'Lakes State Park

Hennepin Canal Parkway State Park

Horseshoe Lake Conservation Area (Alexander County)

Kaskaskia River State Fish & Wildlife Area (designated areas)

Lake Shelbyville Wildlife Management Area (waterfowl management units only)

Peabody River King State Fish and Wildlife Area

Rend Lake Project Lands and Waters

Sanganois State Fish and Wildlife Area

Shabbona Lake State Park

Snake Den Hollow State Fish and Wildlife Area

Ten Mile Creek Fish & Wildlife Area (areas posted as rest

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

area on the Eads Mine and Belle River Units)

Union County Conservation Area

Wayne Fitzgerald State Recreation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
 - 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
 - 5) At sites indicated by (*), hunters are required to check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
 - 6) At sites where additional regulations apply, they are noted in parentheses after the site name.
 - 7) Hunting hours at all sites that are open during the closed game season shall coincide with hunting hours listed for the respective sites listed in 17 Ill. Adm. Code 510.
- c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(*)

Cadotte River State Natural Area (*)

Campbell Pond Wildlife Management Area (*)

Carlisle Lake Lands and Waters - Corps of Engineers managed lands (*)

Chandler Marsh (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Dog Island Wildlife Management Area (*)

Farnecliffe State Park (*)

Ft. de Coarques State Historic Site (muzzleloading shotgun only) (*)

Ft. Massac State Park (*)

Kidd Lake State Natural Area (season closes 14)

Kinkaid Lake Fish and Wildlife Area (*)

Maunula State Fish and Wildlife Area (season closes)

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September 30) (*)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Oakford Conservation Area

Panther Creek Conservation Area (*)

Rend Lake Project Lands and Waters (*)

Sand Ridge State Forest (*)

Sangamon County Conservation Area

Tapley Woods State Natural Area (*)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (*)

Wildcat Hollow State Forest

- d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 10. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh Fish and Wildlife Area (*)

Hellecke State-Fish-and-Wildlife-Area

Hennepin Canal State Park (*)

Iroquois County Wildlife Management Area (*)

Johnson Sauk Trail State Park (*)

Matthiessen State Park (*)

Maulino Fish and Wildlife Area (*)

Morrison Rockwood State Park (*)

Pyramid State Park (*)

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Sangamon State Fish and Wildlife Area

Snake Den Hollow Fish and Wildlife Area (#)

- e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

Big Bend State Fish and Wildlife Area (#)

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Eldon Harlet State Park (closes October 14) (#)

Lake Shelbyville - Kaskaskia Wildlife Management Area (Dove Management Fields Only)

Marseilles Wildlife Area (After Labor Day, site is closed on Fridays, Saturdays, and Sundays through October) (#)

Middlefork Fish and Wildlife Management Area (Dove Management Fields Only)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Peabody River King State Fish and Wildlife Area (east subunit closes October 14) (#)

Pike County Conservation Area (#)

Ray Norbut State Fish and Wildlife Area (#)

Turkey Bluffs State Fish and Wildlife Area (#)

Weinberg-King State Park (#)

- f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake Le Aqua Na State Park (#)

Red Hills State Park (#)

Jubilee College State Park (#)

Shabbona Lake State Park (#)

Siloam Springs State Park (#)

Wayne Fitzgerald State Recreation Area (season opens day after Labor Day) (closes October 14)

- g) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Kickapoo State Park

Lake Shelbyville - Eagle Creek State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek Wildlife Management Area

Lake Shelbyville - Kaskaskia Wildlife Management Area (except Dove Management Units)

Middlefork Fish and Wildlife Area (except Dove Management Units)

- h) Sites participating in approved research project to study effects of hunting hours on dove harvest. Check in and check out to report harvest is required. A drawing will be held at 11:00 a.m. at sites that begin hunting at 12 noon and 1/2 hour before sunrise at sites that begin hunting at sunrise if more hunters show up than can be accommodated. Sites and research hunting hours are listed below:

1) Hunting hours are sunrise to 12 noon

Hidden Springs State ForestI-24 Wildlife Management AreaMoraine View State Park (closes October 14)Saline County Fish and Wildlife Area

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Sam Dale Fish and Wildlife Area

Stephen A. Forbes State Park

Washington County Conservation Area (closes October 14)

Fox Ridge State Park

Hamilton County Fish and Wildlife Area

Kankakee River State Fish and Wildlife Area

Lake Shelbyville--West Okav Wildlife Management Area

Marmet State Fish and Wildlife Area

Ramsey State State Park

Union County Conservation Area (season closes October 15)

2) Hunting hours are 12 noon to 5:00 p.m.

Crawford County Conservation Area

Hamilton County Fish and Wildlife Area

Horseshoe Lake Conservation Area (season closes October 14)

Kankakee River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closes October 14)

Marmet Lake Fish and Wildlife Area

Ramsey Lake State Park

Shelbyville West Okav Wildlife Management Area

Union County Conservation Area

Union County State Park

Hadden Springs State Forest

Union Wildlife Management Area

Mt. Vernon Game Propagation Center

Randolph County Conservation Area

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Sam Parr Fish and Wildlife Area

3) Hunting hours are sunrise to 5:00 p.m.

Clinton Lake State Recreation Area

Fox Ridge State Park

Giant City State Park

Mt. Vernon Game Propagation Center

Randolph County Conservation Area

Sam Parr Fish and Wildlife Area

Union County Conservation Area (closes October 14)

Crawford County Fish and Wildlife Area

Horseshoe Lake Conservation Area (season closes October 15)

Moraine View State Park

Saline County Fish and Wildlife Area

Sam State Lake Fish and Wildlife Area

Stephen A. Forbes State Park

Washington County Conservation Area

1) Permit Areas

1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5:00 p.m. at the sites listed at the end of this subsection.

B) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservation will be publicly announced. Applicants making reservations will be sent confirmation. Up to six (6) reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.

C) Each person may apply for only one area and receive one

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permit per season. An applicant may reapply only if his previous application was unsuccessful.

D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Site M as indicated in subsection (i)(3). All permits will be issued from Springfield and not from the site, except at Site M as indicated in subsection (i)(3).

E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.

F) All hunters must wear an IDOC issued backpatch.

2) Non-Permit Season Regulations
A) Non-permit season shall be September 6-30 except as indicated in parentheses.

B) Non-permit hunting hours shall be 12 noon - sunset except as indicated in parentheses.

C) No permits are required except as indicated in parentheses.

D) Check in and check out is required except as indicated in parentheses.

E) Hunter quotas will be filled on a first come-first served basis.

3) Sites

Des Plaines Conservation Area (non-permit hunting hours are 12 noon - 5 p.m.)

Edward R. Madigan State Fish and Wildlife Area

Green River State Wildlife Area/Kaecker Sand Prairie Habitat Area (non-permit hunting hours are sunrise - sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon - 5 p.m.)

Kankakee River State Park

Mackinaw Fish and Wildlife Area

Rattapittier State Park

Sangchris Lake State Park

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

Site M (non-permit season closes with statewide dove season

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closing; non-permit season is governed by statewide regulations, permit required as indicated in subsection (a) above; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season; from permit season closes October 30; non-permit hunting areas are sunrise to sunset during non-permit season; a season-long permit is required as indicated in subsection (g) check-in and check-out are not required;

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

a) A one-day Youth Dove Hunt will be held the first Saturday in September at the following sites:

Horseshoe Lake State Park (Madison County)

Ramsey Lake State Park

Sangchris Lake State Park

Silver Springs State Park

Stephen A. Forbes State Park

b) A one-day youth/adult dove hunt will be held the first Saturday in September where both the youth and adult will be permitted to hunt at the following sites:

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area

Mt. Vernon Game Farm

Sam Parr State Park

c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in time is from 10:00 a.m. to 11:00 a.m.

d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres.

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NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES CONSERVATION
SUBCHAPTER 6: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK, WEASEL,
RED FOX, GRAY FOX, COYOTE, BADGER, BEAVER AND WOODCHUCK (GROUNDHOG)
TRAPPING

Section

570.10 Statewide Zones

570.20 Statewide Season Dates

570.30 Statewide Hours, Daily Limit and Possession Limit

570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 15644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 12 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expire February 20, 1989; amended at 13 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 14 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. 11586, effective August 2, 1991; amended at 16 Ill. Reg. 11069, effective June 30, 1992; amended at 17 Ill. Reg. 10785, effective July 1, 1993; amended at 17 Ill. Reg. 18796, effective October 19, 1993; amended at 18 Ill. Reg. 10077, effective June 21, 1994; amended at 19 Ill. Reg. 12640, effective August 29, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 570.20 Statewide Season Dates

- a) Muskrat, mink, raccoon, opossum, striped skunk and weasel.
- 1) Northern Zone: November 5 through the next following January 10 5.
- 2) Southern Zone: November 10 15 through the next following January 15.
- b) Red fox, gray fox, and coyote and badger.
- Statewide: November 10 15 through the next following January 15.
- c) Beaver
- 1) Northern Zone: November 5 through the next following March 31, except those portions of Carroll, Whiteside, and Rock Island counties lying west of Illinois Rt. 84 from Interstate 90 north

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to the Jo Daviess County line will be open to beaver trapping only from November 10 5 through the next following January 5, inclusive.

- 2) Southern Zone: November 10 15 through the next following March 31.

d) Woodchuck (Groundhog)

Northern and Southern Zones: June 1 through the next following September 30.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 570.30 Statewide Hours, Daily Limit and Possession Limit

a) Muskrat, mink, raccoon, opossum, striped skunk and weasel.

- 1) Trapping hours: November 5 in the Northern Zone and November 10 15 in the Southern Zone open for trapping at sunrise; January 10 5 in the Northern Zone and January 15 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.

2) Daily and possession limit: None

b) Red fox, gray fox and coyote

- 1) Trapping hours: November 10 15 open for trapping at sunrise; January 15 closed for trapping after sunset; otherwise, hours are unrestricted.

2) Daily and possession limit: None

c) Beaver

- 1) Trapping hours: November 5 in the Northern Zone and November 10 15 in the Southern Zone open for trapping at sunrise; March 31 closed for trapping after sunset except those portions of Carroll, Whiteside and Rock Island Counties lying west of Illinois Rt. 34 from Interstate 80 north to the Jo Daviess County line, are closed for trapping January 10 5 after sunset; otherwise, hours are unrestricted.

2) Daily and possession limit: None

d) Woodchuck (groundhog)

- 1) Trapping hours: June 1 open for trapping at sunrise; September 30 closed for trapping after sunset; otherwise hours are unrestricted.

2) Daily and possession limit: None

e) Badger

- 1) Trapping hours: November 10 15 open for trapping at sunrise; January 15 closed for trapping at sunset; otherwise hours are unrestricted.

- 2) Daily and possession limit: not to exceed two badgers per season in the Northern Zone and one badger per season in the Southern Zone.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

a) General Regulations

- 1) All the regulations in 17 Ill. Adm. Code 510--General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

- 2) On areas where special Department tags are required for trappers, traps without tags attached will be subject to confiscation.

- 3) Trappers must stay within assigned areas.

- 4) For sites where permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. Persons participating in the drawing must have either a current or previous year trapping license. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing. Permits must be in possession while trapping on the area.

- 5) All sites except Blanding Wildlife Area, Kinkaid Lake Fish and Wildlife Area, Mississippi River Pools 16, 17, 18, 21, 22, 24, and Rend Lake Wildlife Management Area require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Failure to report shall result in the trapper being ineligible to trap at that site for the following year.

- 6) Body-gripping traps with a 10-inch jaw spread or larger must be totally submerged in water when set.

- 7) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.

- 8) No trapping is permitted in subimpoundments or designated waterfowl management units during duck season.

- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses):

Blanding Wildlife Area (trapping area includes the islands and associated backwater sloughs immediately upstream from Lock and Dam 12; no trapping on mainland)

Kinkaid Lake Fish and Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24

Pycnand State Park (water sets only)

Rend Lake Project Lands and Waters (water sets only)

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Siloam Springs State Park

- c) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps, D-P (Dog-Proof) Traps, box traps, cage traps, and traps of similar design may be used for land sets (exceptions in parentheses):

Cache River State Natural Area

Carlisle Lake Lands and Waters - Corps of Engineers Managed Lands

Carlisle Lake Wildlife Management Area

Clinton Lake Recreation Area

Coffeen Lake State Park

Dog Island Wildlife Management Area

Elson Hawlet State Park - north of Allen Branch and west of Peppenhorst Branch only

Ferne Cliffe State Park - Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site

Horseshoe Lake Conservation Area

I & M Canal State Park

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to duck season)

Kidd Lake State Natural Area

Lake Shelbyville Eagle Creek Wildlife Management Area

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Area (Pools 25, 26)

Moraine Hills State Park (water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used; no more than two persons may enter drawing on a single card)

Panther Creek Conservation Area

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NOTICE OF PROPOSED AMENDMENTS

Peabody River King Fish and Wildlife Area (west subunit only)

Randolph County Conservation Area

Redwing Slough/Deer Lake State Natural Area (water sets only; only body gripping traps with a jaw spread of 5-6 inches or less may be used)

Sangancie Fish and Wildlife Area

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area

Washington County Conservation Area

- d) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps, D-P (Dog-Proof) Traps, box traps, cage traps, and traps of similar design may be used for land sets; only body-gripping traps with a jaw spread of 5 inches or less, foothold traps with a jaw spread of 1 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets (exceptions in parentheses):

Anderson Lake Conservation Area

Argyle Lake State Park

Banner Marsh State Fish and Wildlife Area

Big Bend Fish and Wildlife Area (after the close of rabbit season foothold traps with a jaw spread of 7 1/2 inches or less may be used for water sets)

Coleta Ponds

Giant City State Park

Hennepin Canal Parkway including Sinnissippi Lake (trappers must register at park office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets)

Horseshoe Lake State Park-Madison County

Johnson-Sauk Trail State Park

Lake Le-Aqua-Na State Park

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Squirrel Hunting

2) Code Citation: 17 Ill. Adm. Code 690

3) Section Numbers: Proposed Action:
690.30 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to open Ferne Clyffe Hunting Area and Cedar Draper Hunting Area to squirrel hunting; change the name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area; and clarify a date and address overlooked last year.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
NO

7) Does this rulemaking contain an automatic repeal date? NO

8) Does this rulemaking contain incorporations by reference? NO

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1787
(217) 782-1809

12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

Mackinaw River State Fish and Wildlife Area

Marshall County Fish and Wildlife Area

Morrison Rockwood State Park

Rice Lake Fish and Wildlife Area

Rock Out State Park

Sangchris Lake State Park

Shabbona Lake State Park

Sparland Fish and Wildlife area

Spring Lake Conservation Area

Trail of Tears State Forest

Union County Conservation Area

e) Trapping is prohibited on all other Department-Owned, -leased or -managed sites except by special permit which shall be issued by the Department when it is determined that the harvest of a species would enhance the biological balance of the resource.

1) All regulations shall be according to species regulations as provided for in this Part.

2) Permit application information and site specific regulations shall be announced publicly by the Department through the news media by September 1 of each year.

3) Site specific regulations shall be listed on the application and permit and posted at the site.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION
 SUBCHAPTER b: FISH AND WILDLIFE

PART 690

SQUIRREL HUNTING

Section

690.10 Hunting Seasons

690.20 Statewide Regulations

690.30 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9630, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11514, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive.
- b) Hunting with .22 caliber rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1).
- c) Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).
- d) Statewide regulations apply at the following sites:

Anderson Lake Conservation Area (2)

Argyle Lake State Park (2)

DEPARTMENT OF NATURAL RESOURCES

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Big Bend State Fish and Wildlife Area (2)

Big River State Forest (2)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (1)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)

Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served first-come-first-served basis; DOC issued back patch must be worn while hunting; only shot size of No. 5 lead or No. 3 steel or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

Ferne Cityffe State Park - Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

I-24 Wildlife Management Area (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1) (2)

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area (1)

Marseilles Fish and Wildlife Area (Monday through Thursday only)

DEPARTMENT OF NATURAL RESOURCES

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through October 31; during August, hunting allowed west of E. 2450 25th Road only) (2)

Marshall State Fish and Wildlife Area (2)

Mermet Lake Conservation Area (1) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)

Mississippi River Pools 16, 17, 18, 19 (1)

Mississippi River Pools 21, 22, 24 (1)

Oakford Conservation Area (1)

Panther Creek Conservation Area (1) (2)

~~Pike County Conservation Area (closes November 30 in Area A; closes December 15 in Area C) (1) (2)~~

Randolph County Conservation Area (2)

~~Ray, Norbut, State Fish and Wildlife Area (closes November 30 in Area A; closes December 15 in Area C) (1) (2)~~

Red Hills State Park (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area (1)

Sangamon State Fish and Wildlife Area (1)

Shawnee National Forest, Oakwood Bottoms (non-toxic shot only) (1)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Walnut Point Fish and Wildlife Area (2)

Washington County Conservation Area (2)

Weinberg-Xing State Park (1) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (closes September 30 October 31) (2)

e) Season dates shall be the day following Labor Day to the end of the statewide season at the following sites:

Perrine Cliffs State Park - Fern Cliffs Hunting Area (2)

Giant City State Park

Hamilton County Conservation Area (2)

Pere Marquette State Park (2)

Pyramid State Park (2)

Siloam Springs State Park (2)

f) Season dates shall be the day after Labor Day to September 30 at the following sites:

Johnson-Sauk Trail State Park (2)

Jubilee College State Park (2)

Kankakee River State Park (2)

Silver Springs State Park (2)

Spring Lake Fish and Wildlife Area (2)

g) Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15 or the hunter will forfeit privileges at that site for the following year:

Chauncey Marsh (permit may be obtained at Red Hills State Park)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Headquarters) (1)

Clinton Lake State Recreation Area

Fox Ridge State Park (1)

Hidden Springs State Forest (.22 rimfire firearms and muzzleloading blackpowder rifles prohibited until October 1) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek State Park

Lake Shelbyville - Eagle Creek Wildlife Management Area (1)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (1)

Middlefork Fish and Wildlife Area (season opens day after Labor Day)

Moraine View State Park

Mt. Vernon Game Propagation Center (closes September 30)

Ramsey Lake State Park

Site M (the Quality Unit and Controlled Unit close October 31) (1)

Ten Mile Creek Fish and Wildlife Area (1)

h) Season dates shall be statewide opening through September 30 at the following sites:

Castle Rock State Park (2)

Iroquois County Wildlife Management Area (1) (2)

Mackinaw State Fish and Wildlife Area (2)

Woodford County Fish and Wildlife Area (2)

i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Horseshoe Lake Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season) (1)

Sand Ridge State Forest (1) (2)

Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit - statewide closing) (1)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: White-Tailed Deer Hunting Season by Use of Handguns
- 2) Code Citation: 17 Ill. Adm. Code 680
- 3) Section Numbers:
680.10
Proposed Action:
Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.06 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.06].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to change the current wording of the season to read: One-half hour before sunrise on the first Friday after January 11 to sunset on the following Sunday.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1137
(217) 782-1809
- 12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed Amendments begins on the next page:

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 680

WHITE-TAILED DEER HUNTING SEASON BY USE OF HANDGUNS

| Section | Amount | Account |
|---------|----------------------------------------------------------|----------------------------------------------------------|
| 680.10 | Statewide Season | Statewide Season |
| 680.20 | Statewide Deer Permit Requirements | Statewide Deer Permit Requirements |
| 680.30 | Deer Permit Requirements - Group Hunt | Deer Permit Requirements - Group Hunt |
| 680.40 | Statewide Hardgun Requirements for Deer Hunting | Statewide Hardgun Requirements for Deer Hunting |
| 680.50 | Statewide Deer Hunting Rules | Statewide Deer Hunting Rules |
| 680.60 | Reporting Harvest | Reporting Harvest |
| 680.70 | Reduction of Application/Revocation of Permits | Reduction of Application/Revocation of Permits |
| 680.80 | Reductions at Various Dealers/Permits or Management Fees | Reductions at Various Dealers/Permits or Management Fees |

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 1353, effective September 3, 1991; amended at 16 Ill. Reg. 1546, effective September 28, 1992; amended at 17 Ill. Reg. 1880, effective October 19, 1993; amended at 18 Ill. Reg. 15739, effective October 18, 1994; amended at 19 Ill. Reg. 15422, effective October 26, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 680.10 Statewide Season

- a) Season: One-half hour before sunrise on the first Friday after January 11 to sunset on the following Sunday ~~of--the-second--day~~
~~weekend--Saturday--Sunday--Monday--to-sunset-on-Saturday-of~~
~~this-3-day-weekend-in-January.~~ Shooting hours are one-half hour
before sunrise to sunset.
- b) For the purpose of removing surplus deer, the Department of Natural Resources (Department) shall open select counties and sites to hangun deer hunting. The Department shall notify the public of the counties that are projected to have surplus deer populations via a public announcement. These counties also will be listed in the instructions contained in the current Hangun Deer Permit Application.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Aid to Families with Dependent Children2) Code Citation: 89 Ill. Adm. Code 1123) Section Number: 112.98
Proposed Action:
Amendment:4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]5) Complete Description of the Subjects and Issues Involved: The purpose of the AFDC Exchange Program is to promote employment opportunities for AFDC clients. The Exchange Program provides an incentive for employers to hire AFDC recipients by offering the employer wage subsidies to help pay the cost of the recipients' wages. Revisions are being made to the rules governing the Department's Exchange Program to assist AFDC clients in becoming self-sufficient.

Current rules prohibit Exchange participants from receiving Work Pays incentives and other Fresh Start initiatives. As a result of these proposed amendments, Exchange Program participants will no longer be prohibited from receiving a cash grant. In addition, Exchange Program participants will be eligible for the earned income budgeting disregards as specified in Sections 112.141 and 112.143. This rulemaking establishes that Exchange Program participants will be required to file regular earned income reports as a requirement for continuing eligibility. The difference between the payment level and the grant the participant receives will be diverted and used in whole or in part to pay a wage subsidy to the employer.

6) Will these proposed amendments replace emergency amendments currently in effect? NO7) Does this rulemaking contain an automatic repeal date? NO8) Do these proposed amendments contain incorporations by reference? NO9) Are there any other proposed amendments pending on this Part? Yes

| Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|---------------------------------------|
| 112.30 | Amendment | February 9, 1996 (20 Ill. Reg. 2336) |
| 112.71 | Amendment | February 23, 1996 (20 Ill. Reg. 3461) |
| 112.251 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.252 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.253 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.254 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |

10) Statement of Statewide Policy Objectives: These proposed amendments do

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave., E., 3rd Floor
Springfield, IL 62762
(217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Entities that qualify as small businesses, small municipalities and not-for-profit corporations under Section 1-75, 1-80 and 1-85 of the APA [5 ILCS 100/1-75, 1-80, 1-85].

B) Reporting, bookkeeping or other procedures required for compliance: As provided in Section 112.29(e)(1), employers that participate in the Exchange Program must enter into a written contract with the Department prior to receiving referrals under the Exchange Program.

C) Types of professional skills necessary for compliance: Not applicable

13) Regulatory Agenda on which this rulemaking was summarized: September 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 1: DEPARTMENT OF PUBLIC AID
SUBCHAPTER 3: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

| Section | |
|---------|---------------------------------------|
| 112.1 | Description of the Assistance Program |
| 112.5 | Incorporation by Reference |

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

| Section | |
|---------|---------------------------------------------------------------|
| 112.8 | Caretaker Relative |
| 112.9 | Client Cooperation |
| 112.10 | Citizenship |
| 112.20 | Residence |
| 112.30 | Age |
| 112.40 | Relationship |
| 112.50 | Living Arrangement |
| 112.52 | Social Security Number |
| 112.54 | Assignment of Medical Support Rights |
| 112.60 | Lack of Parental Support or Care |
| 112.61 | Death of a Parent |
| 112.62 | Incapacity of a Parent |
| 112.63 | Continued Absence of a Parent |
| 112.64 | Unemployment of the Parent |
| 112.67 | Restriction in Payment to Households Headed by a Minor Parent |

SUBPART C: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM

| Section | |
|---------|-----------------------------------------------------------------------|
| 112.70 | Participation Requirements for JOBS |
| 112.71 | Individuals Exempt from JOBS |
| 112.72 | JOBS Participation/Operation Requirements |
| 112.73 | Adolescent Parent Program |
| 112.74 | JOBS Initial Assessment Process/Development of an Employability Plan |
| 112.75 | JOBS Orientation |
| 112.77 | Conciliation and Fair Hearings |
| 112.78 | JOBS Components |
| 112.79 | JOBS Sections |
| 112.80 | Good Cause for Failure to Comply with JOBS Participation Requirements |
| 112.81 | Responsible Relative Eligibility for JOBS |
| 112.92 | JOBS Supportive Services |
| 112.93 | Young Parents Program |
| 112.84 | Work Experience Evaluation Project |
| 112.85 | Four Year College Vocational Training Demonstration Project |

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SUBPART E: PROJECT ADVANCE

| Section | |
|---------|--------------------------------------------------------------------------------------------------|
| 112.86 | Project Advance |
| 112.87 | Project Advance Experimental and Control Groups |
| 112.88 | Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers |
| 112.89 | Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers |
| 112.90 | Project Advance Sanctions |
| 112.91 | Good Cause for Failure to Comply with Project Advance |
| 112.93 | Individuals Exempt from Project Advance |
| 112.95 | Project Advance Supportive Services |

SUBPART F: EXCHANGE PROGRAM

| Section | |
|---------|------------------|
| 112.98 | Exchange Program |

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

| Section | |
|---------|-------------------------------------------------------------------------------------------------|
| 112.100 | Unearned Income |
| 112.101 | Unearned Income of Stepparent or Parent |
| 112.105 | Budgeting Unearned Income |
| 112.106 | Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision |
| 112.107 | Initial Receipt of Unearned Income |
| 112.108 | Termination of Unearned Income |
| 112.110 | Exempt Unearned Income |
| 112.115 | Education Benefits |
| 112.120 | Incentive Allowances |
| 112.125 | Unearned Income In-Kind |
| 112.126 | Barmarked Income |
| 112.127 | Lump Sum Payments |
| 112.128 | Protected Income |
| 112.130 | Earned Income |
| 112.131 | Earned Income Tax Credit |
| 112.132 | Budgeting Earned Income |
| 112.133 | Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision |
| 112.134 | Initial Employment |
| 112.135 | Budgeting Earned Income For Contractual Employees |
| 112.136 | Budgeting Earned Income For Non-Contractual Seasonal Employees |
| 112.137 | Termination of Employment |
| 112.138 | Transitional Payments |
| 112.140 | Exempt Earned Income |
| 112.141 | Earned Income Exemption |
| 112.142 | Exclusion From Earned Income Exemption |

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112.143 Recognized Employment Expenses
 112.144 Income From Work Study Training Program
 112.145 Earned Income From Self-Employment
 112.146 Earned Income From Roomer and Boarder
 112.147 Income From Rental Property
 112.148 Payments from the Illinois Department of Children and Family Services
 112.149 Earned Income In-Kind
 112.150 Assets
 112.151 Exempt Assets
 112.152 Asset Disregards
 112.153 Deferral of Consideration of Assets
 112.154 Property Transfers
 112.155 AFDC Income Limit

SUBPART H: PAYMENT AMOUNTS

Section

112.250 Grant Levels
 112.251 Payment Levels in AFDC
 112.252 Payment Levels in AFDC Group I Counties
 112.253 Payment Levels in AFDC Group II Counties
 112.254 Payment Levels in AFDC Group III Counties

SUBPART I: OTHER PROVISIONS

Section

112.300 Persons Who May Be Included in the Assistance Unit
 112.301 Presumptive Eligibility
 112.302 Monthly Reporting
 112.303 Retrospective Budgeting
 112.304 Budgeting Schedule
 112.305 Strikers
 112.306 Foster Care Program
 112.307 Responsibility of Sponsors of Aliens
 112.308 Special Needs Authorizations
 112.309 Institutional Status
 112.315 Young Parent Program (Renumbered)
 112.320 Redetermination of Eligibility
 112.330 Twelve Month Extension of Medical Assistance Due to Increased Income from Employment
 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repeated)
 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

SUBPART J: CHILD CARE

DEPARTMENT OF PUBLIC AID

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Section
 112.350 Child Care
 112.352 Child Care Eligibility
 112.354 Qualified Provider
 112.356 Notification of Available Services
 112.358 Participant Rights and Responsibilities
 112.362 Additional Service to Secure or Maintain Child Care Arrangements
 112.364 Rates of Payment for Child Care
 112.366 Method of Providing Child Care
 112.370 Non-JOB Education and Training Program

SUBPART K: TRANSITIONAL CHILD CARE

Section

112.400 Transitional Child Care Eligibility
 112.404 Duration of Eligibility for Transitional Child Care
 112.406 Loss of Eligibility for Transitional Child Care
 112.408 Qualified Child Care Providers
 112.410 Notification of Available Services
 112.412 Participant Rights and Responsibilities
 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 393, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 43, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 253, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 3, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2,

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effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15387, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17327, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1132, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4935, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 13629, effective June 1, 1986; amended at 10 Ill. Reg. 11317, effective June 6, 1986; Sections 11.36 through 11.36 and 11.38 recodified to 89 Ill. Adm. Code 150 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21960, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4632, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 5238, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 12.90 and 12.95 recodified to Sections 11.52 and 11.54 at 11 Ill. Reg. 20510; amended at 11 Ill. Reg. 20339, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 5634, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 3032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 9567, effective May 22, 1989; emergency amendment at 13 Ill. Reg. 16342, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990;

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1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 1195, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 1013, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; amended at 5 Ill. Reg. 11647, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 1, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7229, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5236; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 11292, effective October 7, 1983; amended at 7 Ill. Reg. 15623, effective November 1, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19283, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 2506, effective October 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 21, 1984; amended at 8 Ill. Reg. 25023,

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amended at 13 Ill. Reg. 15006, effective October 6, 1989; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13562, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9872, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. _____, effective April 12, 1996; amended at 20 Ill. Reg. _____, effective _____.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

SUBPART F: EXCHANGE PROGRAM

Section 112.98 Exchange Program

- a) The Exchange Program develops employment opportunities for AFDC recipients by paying wage subsidies to employers who hire program participants. The program is funded by diverting the cash grant an individual would receive if not employed and using the diverted grant to pay a wage subsidy to the employer who hires the recipient. The goal of the Exchange Program is to obtain jobs for AFDC recipients who might not be hired without a subsidy.
- b) Eligible Participants
 - 1) AFDC mandatory and volunteer participants in JOBS (see Sections 112.70 through 112.82) who meet the selection criteria listed in subsection (b)(2) of this Section ~~below~~ are eligible to participate in the Exchange Program. Participation in the program is voluntary. An AFDC recipient who wants to participate in the Exchange Program must agree to all provisions in this Section during the time of participation in the program.
 - 2) In order to place special emphasis on people who would not be likely to obtain a job without work supplementation AFDC recipients must meet the following criteria for selection to participate in the Exchange Program:
 - A) The recipient must be the parent of at least one of the children in the AFDC unit.
 - B) The recipient must have completed the JOBS Intensive Job Search component (see Section 112.78(a)), have had a full assessment pursuant to Section 112.74, and been determined eligible to participate in other JOBS components (see Section 112.78).
 - C) The recipient must have no income other than AFDC benefits.
 - D) Recipients identified for employment must be determined eligible for participation by attending a JOBS orientation and assessment meeting. ~~The recipient must be recommended for participation by the Project Chance worker. The JOBS worker will recommend for participation in the Exchange Program those Project Chance participants who, based on their assessment under Section 112.74, are likely to encounter difficulty in obtaining employment (for example, e.g., lack of skills for which jobs are available in the area, lack of work history).~~
 - 3) Nothing in this Section should be construed as providing any recipient the right to participate in the program.
 - 4) Nothing in this Section shall be construed as requiring the Department or any contractor to provide employee status to any eligible individual to whom it provides a job position under the Exchange Program, or with respect to whom it provides all or part of the wages paid to such individual by another entity under such

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program (42 U.S.C. 1614(e)(1)).

5) Nothing in this Section shall be construed as requiring the Department to provide that eligible individuals filling job positions provided by contractors under the Exchange Program be provided employee status by such entity during the first 13 weeks during which they fill such position (42 U.S.C. 1614(e)(2)).

c) Benefits and Reporting Requirements while Participating in the Exchange Program

1) Participants in the Exchange Program are considered to be AFDC recipients and remain eligible for Medical Assistance for the duration of their Exchange Program participation. Child care for cases that are eligible for a cash grant will be regarded as employment child care. For cases reduced to zero grant, payment for child care will be considered transitional child care. Child care expenses will be provided through FGBS while the participant is employed in an Exchange Program job.

2) The participant must agree to accept wages from employment, which will be at least an amount which would be earned by working full time at the prevailing minimum wage, less applicable payroll taxes, while on the cash grant.

3) Participants are not required to file monthly reports as a requirement for continuing eligibility. Changes in income from sources other than the Exchange Program job and/or circumstances must still be reported within five days of occurrence pursuant to 89 Ill. Adm. Code 112.50.

4) Wages paid under an Exchange Program shall be considered to be earned income for purposes of any provision of law (42 U.S.C. 1614(e)(3)).

d) Duration of Program Participation

1) Participants may not exceed a total of nine months in the Exchange Program subsidized placements regardless of the number of times an individual becomes an AFDC recipient. The period of a single assignment is dependent upon the terms of the Exchange Program contract which has been developed with the employer. Recipients will be informed of the length of the Exchange Program subsidy period prior to placement.

2) Participants who fail to cooperate with JCS program requirements (as defined in Section 112.72) or leave a subsidized job position without good cause as defined in Section 112.33) are removed from the Exchange Program and become ineligible to participate in the Exchange Program at any future time. Persons who become ineligible for the Exchange Program are not sanctioned due to Exchange Program ineligibility.

e) Contracts with Employers

1) Employers that participate in the Exchange Program must enter into a written contract with the Department prior to receiving referrals under the Exchange Program.

2) Employers must be in good standing (that is, in compliance

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with all applicable federal, State, county and local laws, regulations and ordinances) with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies which have jurisdiction over their activities.

f) Calculation of the Diverted Grants

1) The level of grant to be diverted is determined on a prospective basis when a work assignment under the Exchange Program is made. The effective date of the diverted grant is the first day of the first full month of Exchange Program wages.

2) Exchange Program participants are eligible for earned income budgeting discounts only. The difference between the Exchange amount and revised amount is diverted to the wage pool. Exchange Program participants are not eligible for any discounts.

3) Participants granted a 13-week assignment with the full-month budget when the assignment corresponds to the full-month Exchange Program wages. The difference between the Payment Level and the grant amount to which the participant receives would otherwise be entitled is diverted and used in whole or in part to pay a wage subsidy to the employer.

4) At the conclusion of the Exchange Program period, participants will have ended their assignment. The Exchange Program will be terminated following placement within the first budget month following placement with the employer. Income earned while participating in the Exchange Program is placed in the wage pool.

g) Program Completion

If the participant states employment after the Exchange Program period, the grant is determined using prospective budgeting for two full months following termination of the Exchange Program placement after which prospective budgeting is used. If the participant is no longer eligible for AFDC benefits after the Exchange Program period, a determination of continued medical eligibility shall be made in accordance with Sections 112.330 and 112.332.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Demonstration Programs2) Code Citation: 89 Ill. Adm. Code 1703) Section Numbers:
170.410
Proposed Action:
New Section4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Act 88-554.

5) Complete Description of the Subjects and Issues Involved: These amendments are being proposed to implement provisions of Public Act 88-554 which mandate the Department to implement a demonstration project to determine the cost-effectiveness of preventing multiple case fraud through the use of an electronic fingerprint matching identification system. The law also stipulates that the project should be conducted in Cook County, in a county contiguous to Cook County and in another county. In addition, the law allows the Department to test a retinal scanning identification system, in lieu of electronic fingerprinting, in one project area.

The Automated Identification and Match System (AIMS) demonstration project will be conducted over a three-year period in the DuPage County local office and the West Suburban and Western local offices in Cook County beginning July 1, 1986. This demonstration project will test the use of electronic fingerprinting technology to combat fraud and ensure that an individual receives public assistance in only one case at a time. It will also facilitate the provisions of equitable and timely benefits to eligible families through implementation of a user friendly and fair system. These proposed amendments establish who must participate in the project, who is exempt, how clients will be notified of the project and the consequences of a client's failure or refusal to participate in the project.

AIMS focuses specifically on the identification of multiple case fraud. Client-related causes of multiple case fraud include the failure to report changes in household composition and residence, name-spelling changes and use of false or multiple documents. False documents include manufactured identity documents and documents belonging to another person, such as someone deceased, incarcerated or someone who has moved out of the State.

A biometric identification system works on the principle that a machine must positively identify a person by capturing, storing and matching physical characteristics unique to the individual. Among the characteristics used for this purpose are fingerprints, finger lengths, voice patterns and retinal patterns. Electronic fingerprinting technology is based on the fact that no two persons have the same fingerprint patterns, and with few exceptions, fingerprint patterns cannot be altered or obliterated.

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The demonstration project will utilize AIMS, a computerized system that will obtain fingerprints electronically, store them, and match the prints against all others in the database. The system will link workstations in the pilot IDPA offices to a central database and processor. The client's index fingers will be placed on the electronic scanner and the fingerprints will be scanned into the computer. An electronic photograph will also be taken of each client. Basic client information (such as name, case number, birthdate and sex), the digital photograph and the fingerprint images will be stored as part of the database.

The system will electronically capture each fingerprint and search the database to determine if it matches a set of prints already on the AIMS system. AIMS will determine that fingerprints match in the following instances:

Full Matches occur when both left and right index fingerprints match a pair of fingerprints on the database, or when one finger is exempt and the other fingerprint matches on the database.

Half Matches occur when one of a pair of incoming fingerprints matches another print already on the database.

Not all matches identified by AIMS will be the result of fraud or attempted fraud. Nonfraud matches would include situations where clients believed that their cases were cancelled and reapplied for assistance when, in fact, their cases were only suspended. Another example would be persons legitimately in two cases (as the recipient in one case and as a nonaided payee in another case).

Confidentiality

As mandated in Public Act 88-554, fingerprint patterns obtained and stored by AIMS are confidential records to be used solely by the Department in the administration of the AIDC Program. Fingerprint patterns will not be shared with any other agencies, including the Illinois State Police and the Immigration and Naturalization Service, nor will those or any other agency have access to the AIMS database.

Mandatory Participants

For the IDPA's AIMS project, all adult AIDC recipients and payees (including second parents and minor parents) and nonaided payees in the household will be fingerprinted. Temporary exemptions to fingerprinting will be permitted for persons with both hands either broken or bandaged. Permanent exemptions will be allowed for persons missing both hands. The fingerprinting requirement will not apply to IDPA staff persons appointed as protective payees.

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Fingerprinting as a Condition of Eligibility

The failure or refusal to cooperate with the fingerprinting requirement by a mandatory participant will result in ineligibility for the AFDC case; that is, denial of the AFDC application or termination of an active case. When the AFDC portion of a combined AFDC/Food Stamp/Medical application is denied due to the failure or refusal to cooperate with the fingerprinting requirement, the Food Stamp and Medical portions will continue to be processed in accordance with existing policy. Active cases for which AFDC benefits have been terminated will be converted to Non-Assistance Food Stamp cases or Non-Assistance Food Stamp/Medical Assistance No Grant cases and sent to appropriate caseworker staff.

In the event of a system failure or prolonged downtime, the fingerprinting requirement will be considered as having been met if the applicant or recipient agrees to be fingerprinted. (The applicant or recipient will be required to return and complete the fingerprinting process when the system is again operational.) In no case will issuance of benefits be delayed beyond regulatory time limits.

Client Notification

Material will be provided to all AFDC applicants which will thoroughly and clearly explain the fingerprinting process, the reasons for the process, the absolute confidentiality of information and the fact that cooperation with the fingerprinting process is a condition of eligibility. Active AFDC cases will receive an ARMS appointment letter in the mail. That letter will include a telephone number to call in order to reschedule the appointment, if necessary. Clients who refuse or fail to keep their appointments to be fingerprinted, without good cause, will be issued an adequate and timely notice of denial or discontinuance.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation

- | | | |
|---------|-------------|------------------------------------|
| 170.350 | New Section | July 21, 1995 (19 Ill. Reg. 10381) |
|---------|-------------|------------------------------------|
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect parts of local government.

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- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave. S., 3rd Floor
Springfield, IL 62762
(217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
 - 13) Regulatory agenda on which this rulemaking was summarized: January 1996
- The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 1: DEPARTMENT OF PUBLIC AID
SUBCHAPTER 9: DEMONSTRATION PROGRAMS

PART 170
DEMONSTRATION PROGRAMS

SUBPART A: THE FRESH START
WELFARE REFORM DEMONSTRATION PROGRAM

Section
170.10
170.20
170.30
170.40
170.50

Youth Employment and Training Initiative
Paternal Involvement Project
Homeless Families Support Project
Family Responsibility Project
Income Budgeting Project

SUBPART B: THE CAREER ADVANCEMENT PROGRAM

Section
170.100
170.110
170.120
170.130

The Career Advancement Program
Career Advancement Experimental and Control Groups
Career Advancement Participation Requirements of Experimental Group Members
Career Advancement Supportive Services for Experimental Group Members

SUBPART C: COMMUNITY GROUP PARTICIPATION PROGRAM

Section
170.200

Community Group Participation Program

SUBPART D: EARNED INCOME INITIATIVE

Section
170.250

Work Pays Demonstration

SUBPART E: FAMILY DEVELOPMENT PLAN

Section
170.300

Truancy Prevention Project

SUBPART F: WORK AND RESPONSIBILITY DEMONSTRATION

Section
170.360
170.370
170.380

Get a Job Initiative
Targeted Work Initiative (TWI)
Quarterly Reportant - Failure to Report Employment Demonstration Projects

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SUBPART G: BIOMETRIC IDENTIFICATION DEMONSTRATION

Section
170.400
170.410

Retinal Scanning
Electronic Fingerprinting

SUBPART H: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS)
DEMONSTRATION PROGRAM

Section
170.450

Young Parent Services South Home Visitor Demonstration (Project Link)

AUTHORITY: Implementing and authorized by Sections 4-1, 4-1.10, 4-8, 4-17, 11-20, 12-13, and 12-4.28 of the Illinois Public Aid Code [305 ILCS 5/4-1, 4-1.10, 4-8, 4-17, 11-20, 12-13 and 12-4.28].

SOURCE: Adopted at 13 Ill. Reg. 14067, effective August 23, 1989; amended at 14 Ill. Reg. 19320, effective November 30, 1990; amended at 17 Ill. Reg. 19197, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19721, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3372, effective February 28, 1994; emergency amendment at 19 Ill. Reg. 645, effective January 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 7901, effective June 8, 1995; emergency amendment at 19 Ill. Reg. 15256, effective November 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15849, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16314, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 866, effective January 1, 1996; amended at 20 Ill. Reg. 4333, effective February 29, 1996; amended at 20 Ill. Reg. 5685, effective March 30, 1996; amended at 20 Ill. Reg. _____, effective April 12, 1996; amended at 20 Ill. Reg. _____, effective _____, effective _____.

SUBPART G: BIOMETRIC IDENTIFICATION DEMONSTRATION

Section 170.410 Electronic Fingerprinting

The Department will operate the Illinois Automated Identification and Match System (AIMS) as a statewide demonstration project for three years beginning July 1, 1996. The purpose of this project is to test the use of electronic fingerprinting technology. The DuPage County local office and the West Suburban and Western local offices in Cook County have been designated as the research sites.

a) Selection of Participants

Unless exempt, the following persons will be required to participate in AIMS by undergoing electronic fingerprinting:

- 1) all adult applicants for AFDC (Category 04) and AFDC-U (Category 06) cash assistance;
- 2) all adult recipients of AFDC (Category 04) and AFDC-U (Category

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06) cash assistance, including:

- A) second parents; and
- B) minor grantees for cases in which he or she is considered an adult;

3) all payees for AFDC (Category 04) and AFDC-U (Category 06) assistance units who do not receive cash benefits in the case.

b) Exemption from Participation in Fingerprinting

- 1) A person with both index fingers broken or bandaged will be granted a temporary exemption from participation. To be granted the exemption, the person must provide documentation from a physician which verifies the medical condition. The documentation must state when the person can be fingerprinted. The length of the exemption shall be based on the physician's statement. When the person's condition improves to the point where he or she can be fingerprinted, the Department shall contact the person so that he or she can complete the process.
- 2) A person who is missing both hands will be granted a permanent exemption from participation.

c) Participant Cooperation

- 1) The failure or refusal of a mandatory participant who is not medically exempt to cooperate with AFDC requirements will result in ineligibility for the entire AFDC assistance unit.

A) When the cash assistance portion of an application for AFDC, Medical and/or Food Stamps is denied, the local office will continue to process the Medical and Food Stamp portions.

B) Active cases for which AFDC cash assistance has been terminated will continue to be eligible for Medical Assistance and Food Stamps.

- 2) In the event of a system failure or an extended period of downtime, a person who agrees to be fingerprinted shall be considered as having cooperated. The person shall be required to return to the local office and complete the fingerprinting process when the system is operational.

3) A mandatory adult who does not cooperate with AFDC requirements and applies for AFDC at another local office shall have the reason for his or her non-cooperation reviewed by the Department. In no instance shall the issuance of benefits be delayed beyond the application processing time limits as specified in 89 Ill. Adm. Code 1.1.22.

- 5) The Department shall provide material to all AFDC applicants and recipients which will explain the following information:

- A) the fingerprinting process;
- B) the reason for the AFDC-SSI;
- C) the confidentiality of the information; and
- D) the fact that cooperation with the fingerprinting process is a condition of eligibility.

d) Intake

The local office will fingerprint a person when he or she applies for

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assistance. The local office shall be notified if an applicant fails to complete the fingerprinting process. The applicant will be given a second opportunity to be fingerprinted as part of the eligibility interview process. If the applicant fails to appear for the interview or refuses to be fingerprinted, the Department shall deny the cash assistance portion of his or her application.

e) Active Cases

- 1) The local office shall send a notice to adults in AFDC cases scheduled for a face-to-face redetermination advising them of the fingerprinting requirement. The notice shall also advise the mandatory adult or adults that they will be scheduled for a fingerprinting appointment at the completion of their redetermination interview.

2) The Department shall centrally generate and mail a fingerprinting reminder notice to clients in AFDC cases not scheduled for a mail-in redetermination. The notice shall remind the client that fingerprinting is a requirement for continued AFDC cash eligibility.

- A) The notice shall instruct the client to contact the local office if he or she is unable to keep his or her appointment. The letter shall also provide a telephone number for this purpose.

B) The notice shall advise clients that they must comply with the fingerprinting requirement and reschedule the appointment in order to prevent cancellation of their cases. Clients who fail to respond to the notice will have their AFDC cash assistance canceled.

- 3) The local office shall make every effort to accommodate clients when they must reschedule their fingerprinting appointments. When a mandatory client fails to appear for his or her scheduled appointment and does not call to reschedule, the local office shall send a notice of negative action to the client for failure to comply with fingerprinting requirements.

4) The Department's investigators shall advise the local office to take appropriate action to cancel AFDC cash assistance if their investigations validate the match and find no satisfactory reason for its occurrence. The Department shall file the assistance unit appropriate notice that their cash assistance is being canceled. Once the appropriate notice has been given, the local office shall cancel the cash assistance portion of the AFDC case.

- 5) Whenever a new adult is added to an active case or there is a change in the payees, the local office shall inform the new person of the AFDC requirements and schedule a fingerprinting appointment.

6) If a mandatory adult who is included in it is the payee for an active AFDC Medical case requests AFDC cash assistance, the local office shall inform the person of the AFDC requirements and schedule a fingerprinting appointment. If the person fails to

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comply with AIDS requirements the local office shall not approve the request for cash assistance.

(Source: Added at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Food Stamps

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Number: 121.182
Proposed Action: Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: These proposed amendments enable the Department to establish and maintain 26 hours as the standard maximum food stamp workoff for Earnfare participants. Any additional hours of work obligation due to food stamp allotment increases will be deemed to be met by "Earnfare Activities" such as orientations, assessments and reassessments. This rulemaking will maintain the number of hours worked per month at 80 and earnings at \$231.

According to Department rule at Section 121.182(h), Earnfare participants prior to earning wages "shall engage in work equal to the amount of the food stamp benefits divided by the federal minimum wage". Subsequently, the Earnfare participant receives payment for each additional hour of performance in Earnfare activity up to a maximum of \$231 per month.

In October 1994, the Food and Nutrition Service (FNS) increased the maximum monthly food stamp allotment for a single individual from \$112 to \$115, thereby suggesting an increase in the number of food stamp workoff hours to 27. At that time, the Department decided to maintain the food stamp workoff hours at 26 counting the additional hour toward "Earnfare activity". Participant earnings remained at \$231 per month and maximum hours worked at 80.

In December 1995, FNS increased the maximum monthly food stamp allotment for a single individual from \$115 to \$119. This change would indicate an increase in the food stamp workoff hours to 28 hours. It would require the participant to work 28 hours (food stamp allotment) before earning any money. This increase could have an adverse impact on client participation.

In the best interest of the client and the Earnfare program, these proposed amendments allow for the food stamp workoff hours to remain the same. This rulemaking creates greater program flexibility, by increasing the amount of time a client can participate in Earnfare-related activities, such as orientations, assessments and reassessments. This increased flexibility will enhance the caseworker's ability to assess a client, match a client with an employer and make any necessary referrals. It will also provide a greater incentive for clients to participate in the Earnfare program.

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- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|------------------------------------|
| 121.58 | Amendment | March 1, 1996 (20 Ill. Reg. 3791) |
| 121.151 | Amendment | April 12, 1996 (20 Ill. Reg. 5440) |
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave. E., 3rd Floor
Springfield, IL 62762
(217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100.5-30]. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

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- A) Types of small businesses, small municipalities and not for profit corporations affected: Entities that qualify as small businesses, small municipalities and not for profit corporations under Sections 1-75, 1-80 and 1-85 of the IAPA [5 ILCS 100/1-75, 1-80, 1-85].
- B) Reporting, bookkeeping or other procedures required for compliance: Earnfare employers are expected to keep records regarding the hours of work for Earnfare participants in accordance with the criteria set forth in the contract with the Illinois Department.
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

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|---------|--------------------------------------------------------------------|
| 121.1 | Application for Assistance |
| 121.2 | Time Limitations on the Disposition of an Application |
| 121.3 | Approval of an Application and Initial Authorization of Assistance |
| 121.4 | Denial of an Application |
| 121.5 | Client Cooperation |
| 121.6 | Emergency Assistance |
| 121.7 | Expedited Services |
| 121.10 | Interviews |

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

| Section | |
|---------|-------------------------------------------------------------------|
| 121.19 | Ending a Voluntary Quit Disqualification |
| 121.20 | Citizenship |
| 121.21 | Residence |
| 121.22 | Social Security Numbers |
| 121.23 | Work Registration/Participation Requirements (Repealed) |
| 121.24 | Individuals Exempt From Work Registration Requirements (Repealed) |
| 121.25 | Failure to Comply (Repealed) |
| 121.26 | Period of Disqualification (Repealed) |
| 121.27 | Voluntary Job Quit |
| 121.28 | Good Cause for Voluntary Job Quit |
| 121.29 | Exemptions from Voluntary Quit Rule |

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

| Section | |
|---------|------------------------------------------|
| 121.30 | Unearned Income |
| 121.31 | Exempt Unearned Income |
| 121.32 | Education Benefits |
| 121.33 | Unearned Income In-Kind |
| 121.34 | Lump Sum Payments and Income Tax Refunds |
| 121.40 | Earned Income |
| 121.41 | Budgeting Earned Income |
| 121.50 | Exempt Earned Income |
| 121.51 | Income from Work/Study/Training Programs |
| 121.52 | Earned Income from Roomer and Boarder |

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| | |
|--------|-----------------------------|
| 121.53 | Income From Rental Property |
| 121.54 | Earned Income In-Kind |
| 121.55 | Sponsors of Aliens |
| 121.57 | Assets |
| 121.58 | Exempt Assets |
| 121.59 | Asset Disregards |

SUBPART D: ELIGIBILITY STANDARDS

| Section | |
|---------|--------------------------------------------|
| 121.60 | Net Monthly Income Eligibility Standards |
| 121.61 | Gross Monthly Income Eligibility Standards |
| 121.62 | Income Which Must Be Annualized |
| 121.63 | Deductions From Monthly Income |
| 121.64 | Coupon Allotment |

SUBPART E: HOUSEHOLD CONCEPT

| Section | |
|---------|-------------------------------------------------------------------------------------------|
| 121.70 | Composition of the Assistance Unit |
| 121.71 | Living Arrangement |
| 121.72 | Nonhousehold Members |
| 121.73 | Ineligible Household Members |
| 121.74 | Strikers |
| 121.75 | Students |
| 121.76 | Households Receiving AFDC, SSI, Interim Assistance and/or GA - Categorical Eligibility |

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

| Section | |
|---------|--------------------------------------------------------------------|
| 121.80 | Fraud Disqualification (Renumbered) |
| 121.81 | Initiation of Administrative Fraud Hearing (Repealed) |
| 121.82 | Definition of Fraud (Renumbered) |
| 121.83 | Notification to Applicant Households (Renumbered) |
| 121.84 | Disqualification Upon Finding of Fraud (Renumbered) |
| 121.85 | Court Imposed Disqualification (Renumbered) |
| 121.90 | Monthly Reporting and Retrospective Budgeting |
| 121.91 | Monthly Reporting |
| 121.92 | Retrospective Budgeting |
| 121.93 | Direct Mail Issuance of Food Stamp Coupons |
| 121.94 | Replacement of Food Stamp Coupons |
| 121.95 | Restoration of Lost Benefits |
| 121.96 | Uses For Food Coupons |
| 121.97 | Supplemental Payments |
| 121.98 | Food Stamp Simplified Application Demonstration Project (Repealed) |
| 121.120 | Recertification of Eligibility |
| 121.130 | Residents of Shelters for Battered Women and their Children |

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- 121.135 Incorporation By Reference
- 121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers
- SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM
- Section
- 121.150 Definition of Intentional Violations of the Program
- 121.151 Penalties for Intentional Violations of the Program
- 121.152 Notification To Applicant Households
- 121.153 Disqualification Upon Finding of Intentional Violation of the Program
- 121.154 Court Imposed Disqualification

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

- Section
- 121.160 Persons Required to Participate
- 121.162 Participation and Cooperation Requirements
- 121.164 Orientation
- 121.166 Assessment and Employability Plan
- 121.170 Job Search Component
- 121.172 Basic Education Component
- 121.174 Job Readiness Component
- 121.176 Work Experience Component
- 121.178 Job Training Component
- 121.180 Grant Diversion Component
- 121.182 Earnfare Component
- 121.184 Sanctions
- 121.186 Good Cause for Failure to Cooperate
- 121.188 Supportive Services
- 121.190 Conciliation and Fair Hearings
- 121.200 Types of Claims (Recodified)
- 121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)
- 121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
- 121.203 Collecting Claim Against Households (Recodified)
- 121.204 Failure to Respond to Initial Demand Letter (Recodified)
- 121.205 Methods of Repayment of Food Stamp Claims (Recodified)
- 121.206 Determination of Monthly Allowment Deductions (Recodified)
- 121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
- 121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ICS 5/12-4.4 through 12-4.6 and 12-14].

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 234, effective July 8, 1980, for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 11, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6834, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7397, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14622, effective August 29, 1986; peremptory amendment at 10 Ill.

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Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 reclassified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 3968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9923, effective June 1, 1988; amended at 12 Ill. Reg. 11453, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16711, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16231, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14025, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994;

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amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. _____, effective _____.

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section 121.182 Earnfare Component

a) Assignment to the Earnfare Component is limited to adults who receive food stamps and who volunteer or are court-ordered to participate.

b) Eligibility Criteria

1) Eligibility for the Earnfare Component shall be limited to six months out of any 12 consecutive month period except that court-ordered participants shall participate for less than six months out of any 12 consecutive month period.

2) Individuals are not entitled to be placed in an Earnfare slot. Earnfare slots shall be made available only as resources permit.

3) To the extent resources permit, the Earnfare program will allow individuals to work for monthly payments and to improve their employability in order to succeed in obtaining employment.

c) Administration and Contracts

1) The Illinois Department shall administer the Earnfare program in Chicago.

2) The Illinois Department may enter into cooperative agreements with local governmental units in selected geographic areas which want to participate in the operation of the Earnfare program outside the City of Chicago. The Department shall establish the policies and procedures for the program and monitor Earnfare programs in local governmental units. Local governmental units will be eligible to participate in the operation of an Earnfare program in the following priority order as resources permit:

A) Local governmental units that receive State funds.
B) Local governmental units that neither receive State funds nor are under a current contract with the Department will be eligible to contract with the Department to administer Earnfare. The Department will reimburse client payments, transportation and up to 50% of allowable administrative staff costs. The Department will select non-receiving units to participate in the program from the applications received based on, but not limited to, the unemployment rate, percentage of the population receiving food stamps, outreach and recruitment plans, linkage with employers and connection to a court of competent jurisdiction to enable operation of

DEPARTMENT OF PUBLIC AID

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the Non-custodial Parent/Earnfare Initiative.

- 3) The Illinois Department may enter into contracts with other public agencies including State agencies, local governmental units, and not-for-profit community based organizations to help develop Earnfare opportunities and otherwise administer the program.
- 4) The Illinois Department may enter into contracts with community based organizations as comprehensive providers to administer and operate Earnfare in the City of Chicago.
- 5) The Illinois Department shall provide Worker's Compensation coverage for each individual assigned to Earnfare.

d) Notification and Referrals

1) In areas where an Earnfare program is operating, when the Illinois Department or the local governmental unit learns that individuals are in the following categories, it shall inform them in writing and, whenever possible, orally of the existence of Earnfare and the method for requesting an Earnfare referral.

A) Households approved or certified for non-assistance food stamps which do not have net food stamp income in excess of \$154.00 per month;

B) All persons denied or terminated from State Transitional Assistance because they are employable; and

C) All Earnfare participants shall be given a written notice at the time they leave the Earnfare program specifying when they will re-qualify.

2) The Illinois Department, comprehensive providers and participating downstate units shall make referrals to the Earnfare program as follows:

A) Any person may request a referral.

B) Exempt and nonexempt food stamp individuals and individuals not receiving food stamps who are non-custodial parents of APDC children may be ordered by a court of competent jurisdiction to participate in the Earnfare Component.

C) Within 30 days after a request for an Earnfare referral:

- i) persons who do not qualify for the Earnfare program shall be given or sent a notice informing them that they do not qualify and will not receive a referral;
- ii) persons who request a referral and who qualify for the Earnfare program shall be provided with a written document that acknowledges the request and informs the individual that he/she is qualified.

3) Within 30 days after notice of eligibility, individuals shall be assessed and referred to appropriate Earnfare slots, if slots are available.

e) For the purposes of Earnfare, a "suitable" Earnfare slot must meet the following requirements:

- 1) there are no questions as to the individual's ability to engage in such employment for medical reasons or because the individual:

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NOTICE OF PROPOSED AMENDMENTS

has no way to get to or from the particular job;

- 2) there are no questions of working conditions, such as risks to health, safety, or lack of worker's compensation protection;
- 3) the individual may not be required, as a condition of employment, to join, resign from, or refrain from joining any legitimate labor organization;
- 4) there is no unreasonable degree of risk to the individual's health and safety; and
- 5) the individual is physically and mentally competent to perform the work.

f) Individuals participating in Earnfare shall not displace or substitute for regular, full-time or part-time employees, regardless of whether the employee is currently working, on a leave of absence, or in a position or similar position where a layoff has taken place or an employer has terminated the employment of any regular employee or otherwise reduced its work force with the effect of filling the vacancy so created with an individual subsidized under this program, or is or has been involved in a labor dispute between a labor organization and the sponsor.

g) Entry into the Component

1) Individuals shall be referred to suitable Earnfare slots with local governmental units, not-for-profit community based and local organizations, other public agencies, including State agencies, and with private employers.

2) To the extent appropriate slots are available, individuals will be referred to suitable Earnfare activities based on an assessment of the individual's age, literacy, education, educational achievement, job training, work experience, and recent institutionalization, whenever these factors are known and are relevant to the individual's success in carrying out the assigned activities and in ultimately obtaining employment. The Department or the participating local governmental unit shall discuss with the individual available Earnfare assignments, together with any restrictions and qualifications the Earnfare employers have specified for the assignments. The individual's personal preferences for available Earnfare assignments and the individual's employment goals shall be ascertained and considered in making the Earnfare referral.

3) The Department, comprehensive providers and local governmental units shall maintain up-to-date public listings by area of Earnfare employers and current information regarding openings in those projects. These listings and the information shall be available to the public, in writing or by phone, during regular business hours.

h) Payments

- 1) Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and

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subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity, up to a maximum of \$231.00 per month. An individual is considered to have participated in Earnfare in any month he or she earns a payment. If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the minimum wage shall first be applied as a \$50.00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity. The individual can earn a maximum of \$231.00 each month including the amount of the support obligation. Individuals will be assigned hours of Earnfare based upon their initial food stamp authorization amount. An individual living in a multi-person food stamp household shall be deemed to be receiving a per capita share of the household's food stamp allotment, for purposes of calculating the Earnfare hours. During an individual's Earnfare participation the Department or the local governmental unit shall alter the Earnfare hours each time the individual's monthly food stamp benefit changes by at least \$20.00, effective the same month as the change in the food stamp benefit. Individuals and contractors will be notified by the Department or the local governmental unit of the number of hours of work to be performed by an individual in Earnfare.

- 2) Individuals remain financially eligible for Earnfare and Earnfare job search activity so long as they receive food stamps. Receipt of food stamps is not an eligibility requirement of Earnfare when a court of competent jurisdiction orders an individual to participate who is a non-custodial parent of AFDC children.
- 3) The Department may pay participants directly or may contract for the Earnfare employer to pay the individual. Payments shall be made no less frequently than monthly. Individuals shall be paid only for the hours they have actually worked in excess of the food stamp hours of work obligation and, if ordered by a court of competent jurisdiction, in excess of food stamp hours and the support obligation.
- 4) Individuals shall be credited with hours of work that the Earnfare employer certifies them to have completed, according to criteria set forth in the contract with the Illinois Department, comprehensive providers or the local governmental unit. The Department, comprehensive providers or the local governmental unit staff shall attempt to resolve disputes between the Earnfare employer and the individual when there is disagreement over the number of hours worked. If the dispute cannot be resolved, the

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- individual may utilize the Illinois Department's appeal process.
- 5) The Illinois Department or the provider shall, in advance, provide individuals participating in Earnfare who need transportation with the cost of transportation in getting to and from the Earnfare site and to Earnfare participants who are not in the job search component for specific job interviews arranged by their Earnfare employer. Individuals obtaining unsubsidized employment while participating in Earnfare may be eligible for initial employment expenses as stated in Section 121.188.
- 6) Participants in the Earnfare job search activity are eligible for employer contact related expenses not to exceed \$20.00 every 30 days for a maximum of two months in a 12 consecutive month period.
- 7) The Illinois Department will provide necessary clothing to enable participants to report to their Earnfare job site. Participants will be required to submit a written request for clothing needed.

1) Participation Requirements

- 1) Individuals may volunteer to participate in Earnfare and participation shall be limited to only six months out of any 12 consecutive month period except that court-ordered participants shall participate for six months unless the court orders participation for less than six months out of any 12 consecutive month period. Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of work up to a maximum of \$231.00 per month. If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the minimum wage shall first be applied as a \$50.00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each hour of performance in Earnfare activity up to \$231.00 including the amount of the support obligation. Individuals participating in Earnfare first work the number of hours equal to food stamp benefits and subsequently earn financial assistance benefits.
- 2) Individuals are required to report as scheduled and on time to their Earnfare employer when notified of a referral. When they cannot report to their Earnfare assignment or if they will be late, they are to immediately notify their Earnfare employer. If the individual demonstrates an inability to sustain the work that has been assigned and the Earnfare assignment was appropriate to the individual's abilities, the Illinois

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Department shall re-assess the individual and, if appropriate, shall refer the person to apply for Transitional Assistance or Interim Assistance and federal SSI benefits. If the person is ordered by a court of competent jurisdiction to participate in the Earnfare Component, that person shall also be referred back to the court when unable to perform the work that has been assigned.

- 4) An individual may be dismissed by the employer from an Earnfare assignment prior to its completion. The Department, comprehensive providers or local governmental unit shall return an individual dismissed by an employer to the client pool. An individual dismissed by an employer shall be treated as a new program entrant for the purpose of Earnfare assignments. A dismissal from an Earnfare assignment shall not cause a food stamp sanction.
- 5) During Earnfare assignment, individuals are required to accept bona fide offers of suitable employment pursuant to Section 121.162(c)(4).
- 6) During the Earnfare assignment participants are required to apply for suitable jobs for which the provider makes a referral.
- 7) Earnfare clients may participate in a voluntary job search activity as resources permit. There are no sanctions for failure to comply. Earnfare clients may participate for two months in a 12 consecutive month period, either concurrently or following the six-month eligibility period for Earnfare. Clients are required to make a minimum of 20 employer contacts each month while in the Earnfare job search activity.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Hi/Low
- 2) Code Citation: 11 Ill. Adm. Code 313
- 3) Section Numbers:
313.10 New Section
313.20 New Section
313.30 New Section
313.40 New Section
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A complete description of the subjects and issues involved: This rulemaking creates a new wagering pool. The Board repealed a similar wagering pool (Over/Under, 11 Ill. Adm. Code 419) in October, 1995. Issues such as dead heats, selection of target numbers, pool distribution and pool variations are detailed.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporation by reference? No
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:

Gina DiCaro
Illinois Racing Board
100 W. Randolph, Ste. 11-100
Chicago, Illinois 60601
(312) 814-5070

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 9, 1996
- B) Types of small business affected: None
- C) Reporting, bookkeeping or other procedures required for

ILLINOIS RACING BOARD
NOTICE OF PROPOSED RULES
TITLE 11: ALCOHOL, HORSE RACING AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER a: GENERAL RULES

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: This rulemaking was not published in a regulatory agenda. This rulemaking is a result of a request by an organization licensee which was approved by the Board on April 9, 1996.

D) Types of professional skills necessary for compliance: None

compliance: None

| Section | Hi/Low |
|---------|--------------------|
| 313.10 | General Provisions |
| 313.20 | Pool Variations |
| 313.30 | Pool Distribution |
| 313.40 | |

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Added at 20 Ill. Reg. _____, effective _____.

Section 313.10 Hi/Low

The Hi/Low wager is the sum of the official program numbers of the first three finishers, irrespective of order, in a designated contest upon which winning wagers are determined. All Hi/Low wagers shall be calculated as an entirely separate wagering pool.

Section 313.20 General Provisions

- The minimum Hi/Low wager shall not be more than \$20. The designated minimum wager shall be displayed in the official program on each day the Hi/Low wager is offered.
- The Section shall be displayed in the official program on each racing day the Hi/Low wager is offered.
- The designated target number and/or pool variation selected by the organization licensee in accordance with Section 313.30 of this Part shall be prominently displayed in the official program for each race designated for Hi/Low wagering. The target number selected by the organization licensee shall not be lower than 6 or greater than the sum of the 3 highest post position numbers.
- Hi/Low wagering shall be prohibited on races that contain coupled entries or mutuel fields.
- Takeout shall be deducted from each gross Hi/Low pool pursuant to the Act [230 ILCS 5/26(a)]. The takeout rate established by the organization licensee shall be prominently displayed in the official program each racing day that the Hi/Low wager is offered.

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The full text of the proposed amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Income Tax2) Code Citation: 86 Ill. Adm. Code 1003) Section Numbers: 100.9505
Proposed Action:
New Section4) Statutory Authority: 35 ILCS 5/9135) A Complete Description of the Subjects and Issues Involved: Public Act 89-399 amended 35 ILCS 5/913 to allow the Department of Revenue to issue a 60-day letter to a taxpayer requesting production of documentary evidence in the conduct of an income tax audit, investigation or hearing. A taxpayer who fails to produce a document in timely response to a 60-day letter is thereafter precluded from presenting that document later in the audit or in a subsequent hearing. This rulemaking sets forth the Department's policies and procedures for issuing and enforcing 60-day letters.6) Will this proposed rule replace an emergency rule currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed amendment contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? Yes

| Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|-----------------------------|
| 100.9720 | New Section | 4/28/95, 19 Ill. Reg. 6135 |
| 100.9710 | New Section | 9/15/95, 19 Ill. Reg. 12906 |
| 100.9020 | New Section | 1/26/96, 20 Ill. Reg. 1489 |

10) Statement of Statewide Policy Objectives: This rulemaking does not create a state mandate. This rulemaking does not affect any existing state mandate.11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Paul S. Caselton
Senior Counsel -- Income Tax
Illinois Department of Revenue
Legal Services Office
101 West Jefferson Street
Springfield, IL 62794

ILLINOIS RACING BOARD

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Section 313.30 Pool Variations

The organization licensee shall select one of the following 3 variations for each Hi/Low wager:

- A target number plus 1/2 designated by the organization licensee, which creates 2 wagering options (Hi or Low).
- A target number designated by the organization licensee, which creates 3 wagering options (Hi, Low or Push). A push shall be a wager which correctly selects the target number and not the Hi or Low category.
- Three wagering options, designated by the organization licensee, based on the total possible minimum and maximum range (i.e., 6 to 12, 13 to 17, and 18 to 27 for a 10 horse field).

Section 313.40 Pool Distribution

- The Hi/Low wager shall be distributed as a single price pool as described in 11 Ill. Adm. Code 300.20(a).
- In the event there are fewer than 3 finishers in a designated Hi/Low contest, the entire Hi/Low pool shall be refunded.
- In the event there is a dead heat in a designated Hi/Low contest, the sum of program numbers for all horses placed first, second and third shall be the number upon which winning wagers are determined.
- In the event there are no winning wagers for a Hi/Low contest, the entire Hi/Low pool shall be refunded.
- In the event a scratch of betting interests eliminates one or more of the wagering options established pursuant to Section 313.20 of this Part, the entire Hi/Low pool shall be refunded.

DEPARTMENT OF REVENUE
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(217) 782-7055
FAX: (217) 524-0527

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: Any small business whose income tax liability is under audit or investigation may be affected by this rule.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: No new professional skills are required.

13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking is in response to recent legislation enacted since the most recent regulatory agenda was established.

The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section
100.2000
100.2050
Introduction
Net Income (IITA Section 202)

SUBPART B: CREDITS

Section
100.2100
100.2150
100.2101
100.2110
100.2120
100.2130
100.2140
100.2160
100.2170
100.2180
Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))
Training Expense Credit (IITA 201(j))
Replacement Tax Investment Credit (IITA 201(e))
Investment Credit: Enterprise Zone (IITA 201(f))
Jobs Tax Credit: Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))
Investment Credit: High Impact Business (IITA 201(h))
Credit Against Income Tax for Replacement Tax (IITA 201(i))
Research and Development Credit (IITA 201(k))
Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
Credit for Residential Real Property Taxes (IITA 208)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

Section
100.2200
100.2210
100.2220
100.2230
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100.9320 Limitations on Notices of Deficiency (IITA Section 905)
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

SUBPART Y: CREDITS AND REFUNDS

Section
100.9400 Credits and Refunds (IITA Section 909)
100.9410 Limitations on Claims for Refund (IITA Section 911)
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SUBPART Z: INVESTIGATIONS AND HEARINGS

Section
100.9500 Access to Books and Records (IITA Section 913)
100.9505 Access to Books and Records -- 60-Day Letters (IITA Section 913)
100.9510 Taxpayer Representation and Practice Requirements
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SUBPART AA: JUDICIAL REVIEW

Section
100.9600 Administrative Review Law (IITA Section 1201)

SUBPART BB: DEFINITIONS

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100.9700 Unitary Business Group Defined (IITA Section 1501)

SUBPART CC: LETTER RULING PROCEDURES

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100.9800 Letter Ruling Procedures

APPENDIX A Business Income Of Persons Other Than Residents
TABLE A Example Of Unitary Business Apportionment
TABLE B Example of Unitary Business Apportionment for Groups Which Include Members Using Three-Factor and Single-Factor Formulas

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AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49 p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4642, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 23, 1982; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4559, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. _____, effective _____.

SUBPART Z: INVESTIGATIONS AND HEARINGS

Section 100.9505 Access to Books and Records -- 60-Day Letters (IITA Section 913)

a) If, during the course of any audit, investigation, or hearing, the Department determines that a taxpayer lacks necessary documentary evidence, the Department is authorized to notify the taxpayer in

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writing, to produce the evidence. The taxpayer shall have 60 days, subject to the right of the Department to extend this period either on request for good cause shown or on its own motion, from the date the notice is personally delivered or sent to the taxpayer by certified or registered mail in which to obtain and produce the requested evidence Department's inspection. Failure to provide the requested evidence within the 60-day period precludes the taxpayer from providing the evidence at a later date during the audit, investigation or hearing. (IITA Section 913)

- b) The provision in IITA Section 913 allowing the Department to issue 60-day letters does not, in itself, provide the Department with authority to compel a taxpayer to produce any books, records or other documentary evidence which the taxpayer does not choose to produce. However, a taxpayer who fails to produce any evidence properly requested in a 60-day letter will thereafter be precluded from presenting such evidence later during the audit or at any subsequent proceeding before the Department, including informal conferences, refund claims, and informal reviews or administrative hearings of protests of notices of deficiency or notices of denial of refund claims.

- c) General requirements for issuing 60-day letters. A 60-day letter shall be issued to a taxpayer during the course of an audit only if the following requirements are met:

1) A 60-day letter shall be issued to request only documentary evidence which the Department has previously requested from the taxpayer during the audit in a formal written notice, signed by the audit supervisor, which included:

A) A description of the documentation requested, such as, correspondence, internal studies or memoranda, contracts, or minutes of meetings of the board of directors or committees; and

B) whenever practicable, a statement of the issue or issues to which the requested evidence may be relevant; and

C) a date for compliance with the request.

2) A 60-day letter shall be issued only after:

A) the taxpayer has notified the Department (by any means) that the taxpayer will not or cannot comply with the request in subsection (c)(1), above, with respect to one or more documents requested; or

B) the date for compliance stated in the request has passed.

3) To each 60-day letter, the Department shall attach a copy of the previous request or requests for documentary evidence in subsection (c)(1), above.

4) Each 60-day letter shall include:

A) a listing of the books, records or other documentary evidence requested in the 60-day letter; and

B) with respect to each such listing, a reference to the attached copy of a request in subsection (c)(1), above, in

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which the evidence was previously requested from the taxpayer.

- 5) The 60-day letter shall be signed by the audit supervisor and by the Director of the Department of Revenue or his or her designee.
- 6) The 60-day letter shall be sent by certified mail, return receipt requested, to an individual taxpayer or, for other taxpayers, to a person authorized to sign tax returns on behalf of the taxpayer pursuant to IITA Section 503, or shall be hand delivered to the taxpayer by the auditor if the taxpayer acknowledges receipt of the letter in writing.

- d) Production of evidence. Unless a 60-day letter expressly provides otherwise, a taxpayer may produce the documentary evidence requested in the 60-day letter by any one or more of the following means:

1) providing the auditor with a legible photostatic copy of a document;

2) providing the auditor with a microfilm, microfiche or other machine-sensible copy of a document, provided that such copy shall be in a form or format which is either compatible with a machine belonging to the Department or otherwise readily usable by the Department;

3) allowing the auditor access to the original or a copy of any requested document, provided that:

A) such access shall be provided to the auditor at the place where the auditor has been conducting the audit of the taxpayer or at some other location to which the auditor shall agree, provided that such agreement shall not unreasonably be withheld;

B) the taxpayer must provide the auditor with any equipment necessary to review such documentary evidence and to make copies which are readily usable by the Department; and

C) the taxpayer must allow the auditor continuing access to such documentation until the auditor has had sufficient time, as reasonably determined by the auditor, to review and copy every document so provided.

e) Time for compliance with 60-day letter

1) The taxpayer shall have 60 days from the date the 60-day letter is received, computed in accordance with the provisions of 5 ILCS 70/1.11, to produce the documentary evidence requested, unless the period for compliance is extended by the Department.

2) At the sole discretion of the Department, the Department may, by written notice to the taxpayer signed by the auditor and the audit supervisor, extend the period for compliance on its own motion.

3) The Department may extend the period for compliance upon request of the taxpayer complying with the following requirements:

A) The request for extension shall be in writing and shall be submitted to the auditor prior to the expiration of the period for compliance as stated in the 60-day letter;

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- B) the request for extension shall expressly indicate which books, records or other documentary evidence requested in the 60-day letter require additional time to produce. The compliance period shall not be extended for documentary evidence which the taxpayer does not expressly include in the request for extension;
- C) the request for extension shall propose a specific date to which the compliance period shall be extended; and
- D) The request for extension shall state specific reasons which the taxpayer believes may constitute good cause for extending the period for compliance.
- 4) In determining whether to grant a request to extend the period for compliance, the Department shall take into account the reasons stated in the request and any other facts it deems relevant, including:
- When previous extensions have been granted, any statements made by the taxpayer in connection with its earlier requests. In particular, the Department may consider the taxpayer's prior estimates of the time necessary for compliance and whether the taxpayer has adequately explained the reasons its earlier estimates were in error.
 - The time remaining before the statute of limitations for issuing a notice of deficiency will expire. The Department may require the taxpayer to execute an extension of the statute of limitations as a condition to the grant of an extension of the compliance period.
 - The extent to which the taxpayer has already produced the requested documentary evidence, including any documentary evidence for which the taxpayer is not requesting an extension.
- 5) The auditor and the audit supervisor shall make the initial grant or denial of a request to extend the period for compliance.
- If the auditor and audit supervisor grant the request, they shall so inform the taxpayer in writing.
 - If the auditor and audit supervisor deny the request because it was not timely made, they shall so inform the taxpayer in writing.
 - Any denial of a timely request for extension shall be reviewed by the Director or his or her designee prior to issuance. If the Director or his or her designee determines that denial of the request is appropriate, the auditor and audit supervisor shall notify the taxpayer in writing of the denial and the reasons for the denial.
- 6) In the case of any timely request for extension, the running of the compliance period shall be tolled from the date the request for extension is delivered to the auditor until the date the written notice of approval or denial of the request for extension is issued.

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- f) Failure to comply with 60-day letter. If a 60-day letter is issued in compliance with the requirements of this Section, no books, records or other documentary evidence which were within the scope of the request in the 60-day letter and which were not produced prior to the expiration of the period for compliance with the 60-day letter (including extensions) shall be considered for any purpose in determining the taxpayer's Illinois Income Tax liability for the taxable years covered by the 60-day letter.
- 1) Disputes regarding the proper issuance and scope of the request in a 60-day letter. If, during any administrative hearing conducted pursuant to 86 Ill. Adm. Code 200, an objection is made to the admission of documentary evidence based on failure to comply with a 60-day letter, such documentary evidence shall not be considered by the Administrative Law Judge if the Administrative Law Judge finds that:
- the 60-day letter complied with all applicable requirements of subsection (c), above;
 - the documentary evidence was not produced by the taxpayer in timely compliance with the 60-day letter; and
 - the documentary evidence was within the scope of the request in the 60-day letter.
- 2) On his or her own motion, the Administrative Law Judge may exclude from consideration any documentary evidence which was not timely produced in compliance with a 60-day letter upon making the findings in this subsection (f). Documentary evidence excluded from consideration by the Administrative Law Judge shall be included in the record only for purposes of administrative review of the decision to preclude the taxpayer from presenting such evidence, provided an offer of proof has been made.
- 3) In no event will documentary evidence which a taxpayer has failed to produce in timely response to a 60-day letter be considered either by the auditor or by the Informal Conference Unit established pursuant to 20 ILCS 2505/39b20.1 in connection with the audit in which the 60-day letter was issued.
- 4) Documentary evidence which the taxpayer would otherwise be precluded from presenting under these provisions may be considered during an informal review conference conducted under 86 Ill. Adm. Code 200.135 or at an administrative hearing conducted pursuant to 86 Ill. Adm. Code 200 only at the sole discretion of the Department.
- g) Issuance of 60-day letters to taxpayers in hearings. IITA Section 211 expressly permits the Department to issue 60-day letters in the course of a hearing. However, the Department will not issue 60-day letters in the course of proceedings in any informal conference or administrative hearing being conducted pursuant to regulations under 86 Ill. Adm. Code 200 until specific procedures for issuing such letters are adopted by amendment to this Section.

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(Source: Added at 20 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Aid to Families with Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers: Adopted Action:
112.65 New Section
- 4) Statutory Authority: Sections 4-1 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/4-1 and 12-13] and Public Act 89-6.
- 5) Effective Date of Amendments: April 12, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 12, 1996
- 9) Notice of Proposal Published in Illinois Register: September 15, 1995 (19 Ill. Reg. 12927)
- 10) Has JCARE issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: The following changes were made to the text of the proposed amendments:
1. Section 112.65 Employment Plan was added to the Index.
 2. Section 112.65(b) was rewritten as follows:

As a condition of eligibility for the entire assistance unit, adult applicants must prepare, sign and submit a personal plan for achieving employment. Active adult recipients who have not previously prepared, signed and submitted a personal plan for achieving employment must do so. Department staff shall assist each client in completing the plan. If the client requests such assistance, this condition of eligibility applies to all adult applicants and recipients of cash assistance except those who have good cause for not completing the plan. Good cause exists only if the applicant or recipient is employed 20 or more hours per week.
3. Section 112.65 (c) was rewritten as follows:

The employment plan form includes the following:

- 1) job history;
- 2) job preferences; and

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3) job search plans.

4. In Section 112.65(d), "in cases" was added before "designated" and "the Cook County Auburn Park Local Office" was replaced by "research sites".

No other changes have been made in the text of the proposed amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these Amendments replace Emergency Amendments currently in effect? Yes

- 14) Are there any Amendments pending on this Part? Yes

| Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|---------------------------------------|
| 112.30 | Amendment | February 9, 1996 (20 Ill. Reg. 2336) |
| 112.71 | Amendment | February 23, 1996 (20 Ill. Reg. 3461) |
| 112.251 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.252 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.253 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |
| 112.254 | Amendment | July 21, 1995 (19 Ill. Reg. 10363) |

- 15) Summary and Purpose of Amendments: Pursuant to provisions of Public Act 89-6, these amendments enable the Department to require all applicants and recipients to prepare a personal employability plan as a condition of eligibility. This rulemaking also outlines the Department's requirement to advise clients of the value and benefits of employment and of the need for all recipients to move toward self-sufficiency.

Within six months of implementation, all current recipients and all applicants at the time of approval will be required to complete a personal plan for achieving employment as a condition of eligibility. Clients will be required to think about and begin formulating a plan for finding work. Clients will record their education level and work history and assess their strengths and weaknesses on a special form being developed by Department staff. The employability plan will help recipients establish goals and will help Department staff stress the point that all clients should be preparing for work and taking steps to become self-sufficient. If a client does not complete the employability plan, the entire case will be ineligible.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

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Name: Judy Umunna
 Address: Bureau of Rules and Regulations
 Illinois Department of Public Aid
 100 South Grand Avenue East, Third Floor
 Springfield, Illinois 62762
 Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section

112.1 Description of the Assistance Program
112.5 Incorporation by Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent
112.65 Employment Plan
112.67 Restriction in Payment to Households Headed by a Minor Parent

SUBPART C: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM

Section

112.70 Participation Requirements for JOBS
112.71 Individuals Exempt from JOBS
112.72 JOBS Participation/Cooperation Requirements
112.73 Adolescent Parent Program
112.74 JOBS Initial Assessment Process/Development of an Employability Plan
112.76 JOBS Orientation
112.77 Conciliation and Fair Hearings
112.78 JOBS Components
112.79 JOBS Sanctions
112.80 Good Cause for Failure to Comply with JOBS Participation Requirements
112.81 Responsible Relative Eligibility For JOBS
112.82 JOBS Supportive Services
112.83 Young Parents Program

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112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section

112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section

112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Barmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees
112.136 Budgeting Earned Income For Non-Contractual School Employees
112.137 Termination of Employment
112.138 Transitional Payments

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 112.143 Recognized Employment Expenses
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 112.146 Earned Income From Roomer and Boarder
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 112.148 Payments from the Illinois Department of Children and Family Services
 112.149 Earned Income In-Kind
 112.150 Assets
 112.151 Exempt Assets
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 112.153 Deferral of Consideration of Assets
 112.154 Property Transfers
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 112.252 Payment Levels in AFDC Group I Counties
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 112.362 Additional Service to Secure or Maintain Child Care Arrangements
 112.364 Rates of Payment for Child Care
 112.366 Method of Providing Child Care
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 112.400 Transitional Child Care Eligibility
 112.404 Duration of Eligibility for Transitional Child Care
 112.406 Loss of Eligibility for Transitional Child Care
 112.408 Qualified Child Care Providers
 112.410 Notification of Available Services
 112.412 Participant Rights and Responsibilities
 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5, Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 45, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 15, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12,

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P. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 1062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective June 2, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 9142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 307, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 3 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17934; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984;

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peremptory amendment at 8 Ill. Reg. 19893, effective October 1, 1984; amended at 8 Ill. Reg. 19893, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 1, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4855, effective March 7, 1986; amended at 10 Ill. Reg. 8158, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14631, effective August 29, 1986; amended at 10 Ill. Reg. 15621, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9327, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 19679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 19781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.20 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 944, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7573, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10431, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September

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16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16006, effective October 6, 1989; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13562, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19136, effective October 25, 1993; maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15939, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at

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20 Ill. Reg. **6018**, effective **APR 12 1996**.

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 112.65 Employment plan

a) The Department shall advise every applicant and recipient of:

- 1) the requirement that all recipients move toward self-sufficiency; and
 - 2) the value and benefits of employment.
- b) As a condition of eligibility for the entire assistance unit, adult applicants must prepare, sign and submit a personal plan for achieving employment. Active adult recipients who have not previously prepared, signed and submitted a personal plan for achieving employment must do so. Department staff shall assist each client in completing the plan. If the client requests such assistance, this condition of eligibility applies to all adult applicants and recipients of cash assistance except those who have good cause for not completing the plan. Good cause exists only if the applicant or recipient is employed 20 or more hours per week.

c) The employment plan form includes the following:

- 1) job history;
- 2) job preferences; and
- 3) job search plans.

d) This Section applies to all AFDC applicants and recipients except for those in cases designated as control cases or research sites.

(Source: Added at 20 Ill. Reg. **6018**, effective **APR 12 1996**.)

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Demonstration Programs
- 2) Code Citation: 89 Ill. Adm. Code 170
- 3) Section Number: Adopted Action:
170.390 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. 4-1 and 12-13] and Public Act 89-6.
- 5) Effective Date of Amendments: April 12, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 12, 1996
- 9) Notice of Proposal Published in Illinois Register: November 27, 1995 (19 Ill. Reg. 15786)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: The following changes were made in the text of the proposed amendments:
1. In Section 170.390(b), "adult" was added before "applicants" and "recipients" and after "all" and "sign" was added after "prepare" and "prepared".
 2. The following was added after the second sentence in Section 170.390(b):
"Department staff shall assist each client in completing the plan, if the client requests such assistance."
 3. Section 170.390(c) was rewritten as follows:
"c) The employment plan form includes the following:
1) job history;
2) job preferences; and
3) job search plans."

No other changes have been made in the text of the proposed amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as

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- indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?
Yes
- 14) Are there any Amendments pending on this Part? Yes
- | Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|------------------------------------|
| 170.350 | New Section | July 21, 1995 (19 Ill. Reg. 10381) |
- 15) Summary and Purpose of Amendments: Pursuant to provisions of Public Act 89-6, these amendments enable the Department to require all applicants and recipients to prepare a personal employability plan as a condition of eligibility. This rulemaking also outlines the Department's requirement to advise clients of the value and benefits of employment and of the need for all recipients to move toward self-sufficiency. Within six months of implementation, all current recipients and all applicants at the time of approval will be required to complete a personal plan for achieving employment as a condition of eligibility. Clients will be required to think about and begin formulating a plan for finding work. Clients will record their education level and work history and assess their strengths and weaknesses on a special form being developed by Department staff. The employability plan will help recipients establish goals and will help Department staff stress the point that all clients should be preparing for work and taking steps to become self-sufficient. If a client does not complete the employability plan, the entire case will be ineligible. Companion amendments to 89 Ill. Adm. Code 112 are also being adopted.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:
- Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215
- The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER I: DEPARTMENT OF PUBLIC AID
 SUBCHAPTER 9: DEMONSTRATION PROGRAMS

PART 170

DEMONSTRATION PROGRAMS

SUBPART A: THE FRESH START
 WELFARE REFORM DEMONSTRATION PROGRAM

Section

170.10 Youth Employment and Training Initiative
 170.20 Paternal Involvement Project
 170.30 Homeless Families Support Project
 170.40 Family Responsibility Project
 170.50 Income Budgeting Project

SUBPART B: THE CAREER ADVANCEMENT PROGRAM

Section

170.100 The Career Advancement Program
 170.110 Career Advancement Experimental and Control Groups
 170.120 Career Advancement Participation Requirements of Experimental Group Members
 170.130 Career Advancement Supportive Services for Experimental Group Members

SUBPART C: COMMUNITY GROUP PARTICIPATION PROGRAM

Section

170.200 Community Group Participation Program

SUBPART D: EARNED INCOME INITIATIVE

Sections

170.250 Work Pays Demonstration

SUBPART E: FAMILY DEVELOPMENT PLAN

170.300

Tuancny Prevention Project

SUBPART F: WORK AND RESPONSIBILITY DEMONSTRATION

Section

170.350 Employment Plan Demonstration Project

SUBPART G: BIOMETRIC IDENTIFICATION DEMONSTRATION

Section

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170.400 Retinal Scanning

SUBPART H: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS)
 DEMONSTRATION PROGRAM

Section

170.450 Young Parent Services South Home Visitor, Demonstration (Project Link)

AUTHORITY: Implementing and authorized by Sections 4-1, 4-1.10, 4-8, 4-17, 11-20, 12-4.28 and 12-13 of the Illinois Public Aid Code (305 ILCS 5/4-1, 4-1.10, 4-8, 4-17, 11-20, 12-4.28 and 12-13).

SOURCE: Adopted at 13 Ill. Reg. 14067, effective August 23, 1989; amended at 14 Ill. Reg. 19320, effective November 30, 1990; amended at 17 Ill. Reg. 19197, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19721, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3372, effective February 28, 1994; emergency amendment at 19 Ill. Reg. 645, effective January 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 7901, effective June 8, 1995; emergency amendment at 19 Ill. Reg. 15256, effective November 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15849, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16314, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 866, effective January 1, 1996; amended at 20 Ill. Reg. 4333, effective February 29, 1996; amended at 20 Ill. Reg. 6029, effective APR 12 1996.

SUBPART F: WORK AND RESPONSIBILITY DEMONSTRATION

Section 170.390 Employment Plan Demonstration Project

- a) The Department shall advise every applicant and recipient of:
 - 1) the requirement that all recipients move toward self-sufficiency; and
 - 2) the value and benefits of employment.
- b) As a condition of eligibility for the entire assistance unit, adult applicants must prepare, sign and submit a personal plan for achieving employment. Active adult recipients who have not previously prepared, signed and submitted a personal plan for achieving employment must do so. Department staff shall assist each client in completing the plan. If the client requests such assistance, this condition of eligibility applies to all adult applicants and recipients of cash assistance except those who have good cause for not completing the plan. Good cause exists only if the applicant or recipient is employed 20 or more hours per week.
- c) The employment plan form includes the following:
 - 1) job history;
 - 2) job preferences; and

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NOTICE OF ADOPTED AMENDMENTS

- 3) job search plans.
d) This Section applies to all APDC applicants and recipients except for those in cases designated as control cases in research sites.

(Source: Added at 20 Ill. Reg. **6029**, effective
APR 12 1996)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Allied Health Care Professional Assistance Law
- 2) Code Citation: 77 Ill. Adm. Code 598
- 3) Section Numbers: Adopted Action:
598.100 Amendment
598.130 Amendment
- 4) Statutory Authority: Implementing and authorized by the Allied Health Care Professional Assistance Law [110 ILCS 905].
- 5) Effective Date of Amendments: April 1, 1996
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain any Incorporation by Reference? Yes
- 8) Date Filed in Agency's Principal Office: April 1, 1996
- 9) Date Notice of Proposed Rulemaking was Published in the Illinois Register: April 21, 1995; 19 Ill. Reg. 5938
- 10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking? No
- 11) Difference Between Proposal and Final Version: No changes were made between the proposed and final versions.
- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? All changes agreed upon by the Department and the Joint Committee have been made as indicated in the agreement letter issued by the Joint Committee.
- 13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No
- 14) Are there any other Amendments Pending on this Part? No

- 15) Summary and Purpose of Amendments: This rulemaking revises allowed uses of scholarship funds; deletes the monthly living stipend; eliminates the differentiation between awards to full-time and part-time students; revises procedures for disbursement of scholarship awards; limits the number of years a recipient can receive scholarship awards; and prohibits recipients from being delinquent in tuition payments. The amendments also delete a provision requiring notification of a recipient's school to stop disbursement of scholarship funds. This provision is no longer necessary because awards will be sent directly to the recipient.

DEPARTMENT OF PUBLIC HEALTH

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16) Information and Questions Regarding these Adopted Amendments shall be directed to:

Gail M. DeVito
Administrative Rules Coordinator
Division of Governmental Affairs
535 West Jefferson
Springfield, IL 62761
(217) 782-6187

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER 9: GRANTS TO INCREASE ACCESS TO PRIMARY HEALTH CARE AND SCHOLARSHIPS FOR HEALTH PROFESSIONAL STUDENTS

PART 598

ALLIED HEALTH CARE PROFESSIONAL ASSISTANCE LAW

SUBPART A: GENERAL PROVISIONS

| Section |
|--------------------------------|
| 598.10 Definitions |
| 598.20 Referenced Materials |
| 598.30 Administrative Hearings |

SUBPART B: ALLIED HEALTH CARE PROFESSIONAL SCHOLARSHIPS

| Section |
|-------------------------------------------------------|
| 598.100 Limitations on Use of Scholarship Funds |
| 598.110 Eligibility for Application |
| 598.120 Criteria for Selecting Scholarship Recipients |
| 598.130 Terms of Performance |
| 598.140 Scholarship Repayment |

AUTHORITY: Allied Health Care Professional Assistance Law [110 ILCS 905].

SOURCE: Adopted at 18 Ill. Reg. 11931, effective August 1, 1994; emergency amendment at 19 Ill. Reg. 6020, effective April 7, 1995, for a maximum of 150 days; emergency expired September 4, 1995; amended at 20 Ill. Reg.

6034, effective APR 01 1996.

SUBPART B: ALLIED HEALTH CARE PROFESSIONAL SCHOLARSHIPS

Section 598.100 Limitations on Use of Scholarship Funds

- a) Scholarships in the amount of \$7,500 shall be used for ~~ever-need~~ of tuition and matriculation fees and ~~provide-a-monthly~~ living expenses ~~stipend~~ for ~~full-time~~ students of allied health care professional programs.
- b) Scholarships may be made to part-time (but not less than 1/3 time) students and ~~full-time students but shall cover only tuition and fees.~~
- c) Scholarship funds shall be expended by the recipient only while enrolled and in good academic standing at an approved school.
- d) Scholarship funds shall not be awarded for expenses incurred when the student must repeat more than once an academic term or terms, if the repetition is necessary because the student has an academic performance below an acceptable level as determined by the student's

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- e) Scholarship awards funds shall be made directly to the recipient provided to the recipient's school. All funds for tuition and fees are to be expended only on the student's behalf and all stipend monies are to be provided directly to the student.
- f) Scholarship awards shall be made for a maximum of two (2) years.
- g) Scholarship awards shall not be made if recipient is in arrears on tuition payments to recipient's school.

(Source: Amended at 20 Ill. Reg. 6034, effective APR 01 1996)

Section 598.130 Terms of Performance

- a) Each scholarship recipient shall sign a written contract. The contract contains terms and conditions which ensure compliance with this Part, the laws of the State of Illinois, and enforcement of the contract.
- b) Scholarship recipients who fail to complete school due to academic failure, as documented by recipient's school, shall be discharged from all obligations.
- c) Scholarship recipients who fail to complete school due to voluntary actions on their part shall repay to the Department an amount equal to 3 times the amount of the annual scholarship grant received for each unfulfilled year of the obligation together with interest at 7 percent per year on that amount.
- d) In the event the scholarship recipient is disabled or is otherwise unable for reasons beyond the recipient's control to perform the scholarship obligations, these obligations shall be suspended until such time as the scholarship recipient is able to resume the scholarship obligations. Such suspension shall be requested in writing by the scholarship recipient. The Department's acceptance or denial of the suspension request will be provided in writing under the Director's signature. The Department shall accept a request for a suspension when supported by a letter from the recipient's physician attesting to the recipient's inability (either temporarily or permanently) to continue (either school or the practice of the allied health care professional field) and the recipient's agreeing to not continue either his or her education in the profession (or the practice of the allied health care profession) in any state.
- e) Misrepresentation of the facts presented in the recipient's application shall be considered a breach of contract. All the recipient's school shall be notified to halt further disbursements of scholarship funds and all funds provided by the Department to the student shall be due in full, immediately.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 6034, effective APR 01 1996)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 9, 1996 through April 15, 1996 and have been scheduled for review by the Committee at its May 21, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

| <u>Second Notice Expires</u> | <u>Agency and Rule</u> | <u>Start of First Notice</u> | <u>JCAR Meeting</u> |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------|
| 5/23/96 | Department of Public Aid, Medical Payment (89 Ill Adm Code 140) | 2/9/96 20 Ill Reg 2346 | 5/21/96 |
| 5/23/96 | Secretary of State, Procedures and Standards (92 Ill Adm Code 1001) | 1/26/96 20 Ill Reg 1491 | 5/21/96 |
| 5/24/96 | Department of Professional Regulation, Medical Practice Act of 1987 (68 Ill Adm Code 1285) | 2/23/96 20 Ill Reg 3457 | 5/21/96 |
| 5/24/96 | Department of Children and Family Services, Relative Home Placement (89 Ill Adm Code 335) | 1/12/96 20 Ill Reg 658 | 5/21/96 |
| 5/25/96 | State Employees' Retirement System of Illinois, The Administration and Operation of the State Employees' Retirement System of Illinois (80 Ill Adm Code 1540) | 2/9/96 20 Ill Reg 2385 | 5/21/96 |
| 5/25/96 | Secretary of State, Illinois Safety Responsibility Law (92 Ill Adm Code 1070) | 2/9/96 20 Ill Reg 2378 | 5/21/96 |

Executive Order
96-1

An Executive Order Changing The Name Of The Commissioner Of Banks And Trust Companies To The Office Of Banks And Real Estate And Transferring To It The Rights, Powers, Duties, And Functions Of The Office Of The Commissioner Of Savings And Residential Finance

Article V, Section 11 of the Constitution of the State of Illinois Authorizes the Governor to reassign functions among or reorganize executive agencies which are directly responsible to him in order to simplify the organizational structure of the Executive Branch, to improve accountability, to increase accessibility, and to achieve efficiency and effectiveness in operation.

For the purposes of organizational structure, this Executive Order changes the name of the Commissioner of Banks and Trust Companies to the Office of Banks and Real Estate and transfers to it the rights, powers, duties and functions of the Office of the Commissioner of Savings and Residential Finance. This action will consolidate and centralize the programs and services now offered to citizens by those two agencies, resulting in more effective operation of their programs and services.

Maintaining a strong financial services industry is important to our economy as it facilitates the development and expansion of businesses and provides significant employment in Illinois. The industry also provides for a strong home lending environment in all communities and towns throughout our state which improves the quality of life in Illinois.

The financial services industry is currently undergoing a major restructuring and modernization brought about by various changes in state and federal laws and the services their customers are seeking. Recent changes in the law include my approval of statewide bank branching in Illinois, the modernization of our state's electronic funds transfer laws, the creation of a state savings bank charter, the transfer of the regulation of the real estate industry to the supervisor of the thrift and mortgage banking industries, and my approval of legislation facilitating interstate bank acquisitions, mergers and branching in accordance with corresponding federal legislation.

Financial services holding companies have the ability to exercise ownership of banks, trust companies, thrift, residential mortgage licensees and other financial services providers making the need greater for coordinated regulatory oversight.

In order to maintain Illinois as a national leader in the financial services industry and to keep the Illinois financial regulatory structure in concert with the changes in the industry, I have decided to consolidate the regulatory services provided by the Illinois Commissioner of Banks and Trust Companies with the Office of the Commissioner of Savings and Residential Finance.

Consolidating these agencies will ensure that the best structure is in place to meet the challenges of the future. The consolidation of agencies will provide increased regulatory coordination, information sharing and oversight, provide increased opportunities for cross-training and utilization of examination personnel and increase the regulatory services provided. These actions will set forth the foundation to ensure the effective regulation of the financial services industry as we move into the 21st Century.

Therefore, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, I hereby order the following:

I. Redesignation

A. The Commissioner of Banks and Trust Companies is redesignated as the Office of Banks and Real Estate.

B. The terms of the persons serving as the Commissioner, first Deputy Commissioner, and Deputy Commissioners of Banks and Trust Companies shall end on the effective date of this Executive Order, except that such persons shall continue to serve as Commissioner, first Deputy Commissioner, and Deputy Commissioners, respectively, of the Office of Banks and Real Estate until their successors are appointed and qualified.

The Commissioner, first Deputy Commissioner, and Deputy Commissioners of the Office of Banks and Real Estate shall hold office for terms starting with the date of their appointments until January 31, 2000 and until their successors are appointed and qualified. Subsequently, the Commissioner, first Deputy Commissioner, and Deputy Commissioners of the Office of Banks and Real Estate shall serve for terms of four years beginning on February 1, 2000 and on February 1 of every fourth year thereafter.

Appointments to these offices shall be made by the Governor, by and with the advice and consent of the Senate. Acting Commissioners shall be appointed and vacancies filled in accordance with Section 2.4 of the Illinois Banking Act.

The Commissioner, first Deputy Commissioner and Deputy Commissioner of the Office of Banks and Real Estate shall receive an annual salary as set by law for the Commissioner, first Deputy Commissioner and Deputy Commissioner of Banks and Trust Companies until such time that the General Assembly and/or the Compensation Review Board establish salaries for the Commissioner, first Deputy Commissioner and Deputy Commissioners of the Office of Banks and Real Estate.

C. Whenever any provision of an Executive Order or any Act or Section thereof transferred by this Executive Order provides for membership of the Commissioner of Banks and Trust Companies and/or the Commissioner of Savings and Residential Finance on any council, commission, board or other entity, the Commissioner of the Office of Banks and Real Estate or his/her designee(s) shall serve in that place. If more than one such Commissioner is required by law to serve on any council, commission, board or other entity, an equivalent number of representatives of the Office of Banks and Real Estate shall so serve.

II. Transfer Of Powers

A. The Office of Banks and Real Estate Shall Retain The Powers Of The Commissioner Of Banks And Trust Companies

The rights, powers and duties by law vested in the Commissioner of Banks and Trust Companies, or any officer, division, bureau, associated board, or employee thereof, and all rights, powers, and duties incidental thereto, are retained by the Office of Banks and Real Estate including, but not limited to, the following:

1. The Commissioner of Banks and Trust Companies Act [20 ILCS 3205]

2. The Illinois Bank Examiners Education Foundation Act [20 ILCS 3205]
3. The Illinois Banking Act [205 ILCS 5]
4. The Illinois Bank Holding Company Act of 1957 [205 ILCS 10]
5. The Banking Emergencies Act [205 ILCS 610]
6. The Electronic Fund Transfer Act [205 ILCS 616]
7. The Corporate Fiduciary Act [205 ILCS 620]
8. the Foreign Banking Office Act [205 ILCS 645]
9. The Foreign Bank Representative Office Act [205 ILCS 650]
10. The Financial Institution Activity Reporting Act [205 ILCS 68]

B. From The Office Of The Commissioner Of Savings And Residential Finance To The Office Of Banks And Real Estate

The rights, powers and duties by law vested in the Commissioner of Savings and Residential Finance and the office of the Commissioner of Savings and Residential Finance, whether in that name or in the name of the office of the Commissioner of Savings, Real Estate Professions, and Mortgage Finance, or any office, division, bureau, associated board, or employee thereof, and all rights, powers, and duties incidental thereto are transferred to the Office of Banks and Real Estate including, but not limited to, the following:

1. The Illinois Savings and Loan Act of 1985 [205 ILCS 105]
2. The Savings Bank Act [205 ILCS 205]
3. The Residential Mortgage License Act of 1987 [205 ILCS 635]
4. The Real Estate License Act of 1983 [225 ILCS 455]
5. The Real Estate Regulation Transfer Act [225 ILCS 456]
6. The Land Sales Registration Act [765 ILCS 85]
7. The Illinois Real Estate Time-Share Act [765 ILCS 100]

III. Effect Of Transfer

A. The Commissioner of Savings and Residential Finance and the Office of the Commissioner of Savings and Residential Finance, whether in that name or in the name of the Office of the Commissioner of Savings, Real Estate Professions, and Mortgage Finance, and all offices, bureaus and divisions thereof are hereby abolished. The Commissioner of Banks and Trust companies is hereby redesignated as the Office of Banks and Real Estate.

B. Every person or corporation shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties had been exercised by the former agencies, divisions, officers or employees thereof.

C. Every officer of the Office of Banks and Real Estate shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer whose powers or duties were transferred or retained under this Executive Order.

D. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the agencies and offices transferred by this Executive Order, the same shall be made, given, furnished or served in the same manner to or upon the Office of Banks and Real Estate.

- E. This Executive Order shall not affect any act done, ratified or

canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil or criminal cause before this Executive Order takes effect, but such actions or proceedings may be prosecuted and continued by the Office of Banks and Real Estate.

F. Any rules of the agencies being reorganized by this Executive Order that are in force on the effective date of this Executive Order and that have been duly adopted by the agencies being reorganized shall become the rules of the Office of Banks and Real Estate. This Executive Order shall not affect the legality of any such rules in the Illinois Administrative Code. Any proposed rules filed with the Secretary of State by the agencies being reorganized by this Executive Order, that are pending in the rulemaking process on the effective date of this Executive Order, shall be deemed to have been filed by the Office of Banks and Real Estate. As soon as practicable hereafter, the Office of Banks and Real Estate shall revise and clarify the transferred to or retained by it under this Executive Order to reflect the reorganization of rights, powers and duties effected by this Order, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and Section numbering for the affected rules may be retained. The Office of Banks and Real Estate may propose and adopt under the Illinois Administrative Procedure Act such other rules as may be necessary to consolidate and clarify the rules of the reorganized agencies that will now be administered by the Office of Banks and Real Estate.

V. Severability

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

VI. Effective Date

This Executive Order shall become effective on June 1, 1996.

Issued by the Governor, March 6, 1996.

Filed with the Secretary of State, March 6, 1996.

Executive Order

96-2

Illinois Residents Called to Serve in Active Military duty in Connection with the Operation Joint Endeavor Peace-Keeping in Bosnia-Herzegovina, Croatia and Macedonia

Whereas, the United States has peace-keeping forces in Bosnia-Herzegovina, Croatia and Macedonia in furtherance of Operation Joint Endeavor;

Whereas, Illinois residents are or may be called to serve in active military duty in connection with the Operation Joint Endeavor peace-keeping efforts;

Whereas, no Illinois resident serving in Operation Joint Endeavor or in support of the operation should be forced to concern himself or herself during the months immediately ahead with concerns over filing Illinois income tax returns;

Whereas, the Internal Revenue Service has recently taken action providing members of the U. S. Military in Bosnia-Herzegovina an extension until December 15, 1996, for filing 1995 Federal Income Tax Returns;

Whereas, the United States Congress has passed and the President has approved Public Law 104-117 authorizing the filing extension and extending combat zone status to troops participating in Operation Joint Endeavor;

Whereas, Illinois law generally mirrors the federal tax law, but does not cover all the tax problems raised for these men and women;

Whereas, the State does not wish to financially punish any Illinois resident on active military duty in Operation Joint Endeavor by not providing them with the full benefits and exemptions available or assessing them any penalties or fines;

Now, Therefore, I Herby Order As Follows:

All State agencies, boards and commissions under my control are hereby ordered to liberally construe all programs and benefits available to State employees as military personnel and support personnel in Operation Joint Endeavor so that the maximum programs and benefits will be granted to such employees. The Illinois Department of Central Management Services and the Illinois Department of Revenue also shall coordinate with all other State and Federal agencies and take all other actions necessary to implement all provisions of this order.

I further order that the filing date for Illinois individual income tax returns, as provided by the Illinois Income Tax Act, shall be extended for United States military personnel in Operation Joint Endeavor in conformity with the maximum time extensions for federal tax purposes recognized by the Internal Revenue Service pursuant to Public Law 104-117.

I further order that all military income exempted from taxation under the U.S. Internal Revenue Code by Congressional action shall be exempt from taxation in Illinois under the Illinois Income Tax Act for purposes of computing Illinois income tax liability.

I further order the Board of Appeals in the Illinois Department of Revenue to consider the issuance of a general ruling that would provide additional relief, including abatement of penalties and interest for late payment or late filing for all Illinois residents serving as military personnel and or support personnel in Operation Joint Endeavor, equivalent to that provided by Sections 7508 and 7509A of the U. S. Internal Revenue Code for federal income tax purposes.

This order shall take effect immediately.

Issued by the Governor, March 27, 1996

Filed with the Secretary of State, March 27, 1996.

EXECUTIVE ORDER

96-3

CREATING THE DEPARTMENT OF HUMAN SERVICES

Article V, Section 11 of the Constitution of the State of Illinois authorizes the Governor to reassign functions among or reorganize executive agencies which are directly responsible to him in order to simplify the

organizational structure of the Executive Branch, to improve accountability, to increase accessibility, and to achieve efficiency and effectiveness in operation.

The goals of a responsive, effective human services delivery system for the people of Illinois should include quality, efficiency, accountability and financial responsibility. A well-designed human services delivery system can accomplish these goals; it can maximize state government resources; and, it can better serve the needs of the truly needy. A human services delivery system that incorporates these goals in a comprehensive fashion will be better equipped to meet the challenges of the future, including those that federal Medicaid and Welfare Reform may bring.

In the past quarter century, repeated calls have been made to consolidate the human services delivery system. At the same time, the demands for services have increased dramatically. Hundreds of individual programmatic offerings have been developed, each increasingly bureaucratic and complex. While human services should comprehensively address an individual's service needs, services instead have become increasingly driven by programs, not need.

The human services delivery system in Illinois is currently provided by seven cabinet-level executive departments and many other fragmented agencies, boards, commissions and councils. Each of the agencies relies on its own program staff, its own programs and its own eligibility criteria for those programs. Each of the agencies accordingly maintains its own budget office, its own personnel office, its own legal staff, its own communications office and its own information systems. Consumers, providers and taxpayers alike have borne the consequences of these separate and overlapping bureaucracies by being faced with confusing, duplicative, inconsistent or fragmented functions and requirements.

In order to assure that the delivery of human services to the people of this State shall be poised to meet the demands of the future, I am consolidating the delivery of human services into a single agency. Furthermore, to assure that quality, efficiency, accountability and financial responsibility are maintained during the transition to a single new agency for all affected by it, my consolidation directs an orderly, phased transition.

For the purposes of organizational structure, this Executive Order creates a new Department of Human Services effective July 1, 1997, and transfers to it all rights, powers and duties of the Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and Department of Rehabilitation Services. It transfers certain programs for senior citizens and persons with disabilities from the Department of Revenue to the new Department of Human Services. It transfers an adolescent psychiatric treatment program from the Department of Children and Family Services to the new Department of Human Services effective July 1, 1997, certain child day care and community-based youth services initiatives from the Department of Children and Family Services to the Department of Public Aid on July 1, 1997; and, certain delinquency intervention programs from the Department of Children and Family Services to the Department of Corrections, also effective July 1, 1997.

This Executive Order also transfers all rights, powers and duties of the Department of Public Aid and certain rights, powers and duties of the Department of Public Health to the Department of Human Services effective January 1, 1998. Certain regulatory powers shall remain with the Department of Public Health, and the Department shall be renamed the Office of Health

Regulation.

Finally, effective July 1, 1998, all remaining rights, powers and duties of the Department of Children and Family Services are transferred to the Department of Human Services.

In order to assure that a structured and informed cooperative process is in place to complete an orderly transition to the new Department of Human Services, this Executive Order also establishes a Joint Task Force on Human Services Reorganization. The Joint Task Force shall consist of sixteen members and a Chair, and shall include legislators, members of my staff, and others. The duties of the Joint Task Force shall be to report how best to structure the new Department of Human Services so as to develop a common information services system; consolidate duplicative programs, maximize to the fullest extent possible future federal funding, including block grants and other reforms in Medicaid and welfare, and otherwise help ensure that the consolidated Department provides a quality, efficient, accountable and fiscally responsible system of human services to the people of Illinois.

The effect of this Executive Order will be to proceed with an informed, phased and orderly process for the consolidation and reorganization of the programs and services now offered to the people of this State through multiple human services agencies.

Upon the completion of this measured implementation process, the Illinois Department of Human Services will be equipped to address the many interrelated human services needs of an individual or family unit in a cohesive fashion designed to improve client outcomes. An essential priority of consolidation will be the development of a common information services system. Upon such consolidation, the Department will be structured to provide a coordinated intake and tracking system that eliminates fragmentation, confusion and redundancy. The Department will be able to administer a simplified service delivery system that builds on the strengths of community providers and reduces duplicative rules, reporting requirements, and inappropriate referrals. The Department will streamline the delivery of human services by detecting fraud, eliminating waste and combining duplicative or fragmented programs that are now spread across two, three, or more agencies. Finally, the Department will be structured to permit collaboration across programmatic categories and a focused, directed effort to identify and resolve particular problem areas that would otherwise be fragmented across multiple agency boundaries.

This orderly, measured implementation shall help assure that the best possible services are delivered to the individuals our programs are intended to serve; that services are delivered in the most effective fashion possible with a minimum of duplication, fragmentation, and bureaucracy; that services are provided with a privatized, community-based emphasis; that state-operated programs are responsive and explicable; and, that the people of Illinois obtain the best service possible from the resources invested in the most cost effective manner possible to the taxpayer.

THEREFORE, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, I, Jim Edgar, hereby order the following:

I. CREATION OF DEPARTMENT

A. There shall be a Department of Human Services effective July 1, 1997.

B. The Department of Human Services shall have an officer as its head who shall be known as the Secretary.

Appointments to this office shall be made by the Governor, by and with the advice and consent of the Senate. Vacancies shall be filled pursuant to 20 ILCS 5/12. Until such time as the General Assembly or Compensation Review Board may otherwise provide, the annual salary of the Secretary shall be at the same rate as that payable to a Director pursuant to 20 ILCS 5/9a.

The Secretary of the Department of Human Services shall hold office from the date of appointment following the effective date of this Executive Order, until January 31, 1999, and until a successor is appointed and qualified. Thereafter, he or she shall serve for terms of two years beginning on the third Monday in January, 1999 pursuant to 20 ILCS 5/13.

C. There shall be two Assistant Secretaries within the Department of Human Services. Appointments to these offices shall be made by the Governor, by and with the advice and consent of the Senate. Vacancies shall be filled pursuant to 20 ILCS 5/12. Until such time as the General Assembly or Compensation Review Board may otherwise provide, the annual salaries of the Assistant Secretaries shall be at the same rate as that payable to an Assistant Director pursuant to 20 ILCS 5/9.17.

Assistant Secretaries of the Department of Human Services shall hold office from the date of appointment following the effective date of this Executive Order, until January 31, 1999, and until their respective successors are appointed and qualified. Thereafter, he or she shall serve for terms of two years beginning on the third Monday in January, 1999 pursuant to 20 ILCS 5/13.

D. The Secretary shall create such divisions and administrative units and assign functions, powers, duties and personnel as may be now or in the future required under federal law. The Director may create other divisions and administrative units as necessary for the efficient administration and operation of the Department and may assign functions, powers, duties and personnel to carry out the powers vested by law in the Department.

E. No later than January 1, 1998, the Secretary shall designate an officer or employee who is a physician licensed to practice medicine in all of its branches in Illinois as the Chief Public Health Officer.

These changes are effective July 1, 1997.

II. TRANSFER OF POWERS EFFECTIVE JULY 1, 1997

A. FROM THE DEPARTMENT OF REVENUE TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Revenue or any office, division, council, committee, bureau, associated board, or employee thereof, and all rights, powers and duties incidental thereto, are hereby transferred from the Department of Revenue to the Department of Human

Services.

1. Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act [320 ILCS 25/1]

B. FROM THE DEPARTMENT ON AGING TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers, and duties by law vested in the Department on Aging, or any office, division, council, committee, bureau, associated board, or employee thereof by the following acts or Sections thereof, and all rights, powers and duties incidental thereto, are transferred to the Department of Human Services.

1. Section 1(b) of the State Employee Indemnification Act [5 ILCS 350/1(b)]
2. Sections 2, 3, 4, 6, 6.27, 7.11, 8, 8.1, 9, 9.01, 9.21, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 25, 26, 29, 30, 31, 32, 33 and 34 of the Civil Administrative Code of Illinois [20 ILCS 5/2, 3, 4, 6, 6.27, 7.11, 8, 8.1, 9, 9.01, 9.21, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 25, 26, 29, 30, 31, 32, 33 and 34]
3. Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/1]
4. Illinois Act on the Aging [20 ILCS 105/1]
5. Civil Administrative Code of Illinois Act - Part 15.5 of the Civil Administrative Code [20 ILCS 110/69]
6. Sections 5-10 (a)(4)(A), 10-40, 10-45(a) and 10-50 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10(a)(4)(A), 10-40, 10-45(a) and 10-50]
7. Sections 63 and 64 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/63 and 64]
8. Section 55.62 of the Civil Administrative Code of Illinois - Part 10 [20 ILCS 2310/55.62]
9. Sections 3 and 12a(d)(2) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3 and 12a(d)(2)]
10. Illinois Coordinating Committee on Transportation Act [20 ILCS 3925/1]
11. Home and Community-Based Services Act [20 ILCS 3957/1]
12. Planning Council on Mental Health Law [20 ILCS 4015/1]
13. The Illinois Violence Prevention Act of 1995 [20 ILCS 4027 1]
14. Section 507M of the Illinois Income Tax Act [35 ILCS 5/507M]
15. Section 5-1093 of the Counties Code [55 ILCS 5/5-1093]
16. Section 220-10 of the Township Code [60 ILCS 1/220-10]
17. Section 6.1(e) of the Illinois Banking Act [205 ILCS 5/6.1(e)]
18. Section 4 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30/4]
19. Sections 2-204, 2-211, 3-108, 3-108a, 3-807 and 3A-101 of the Nursing Home Care Act [210 ILCS 45/2-204, 2-211, 3-108, 3-108a, 3-807 and 3A-101]
20. Board and Care Home Registration Act [225 ILCS 7/1]
21. Health Care Worker Background Check [225 ILCS 46/1]
22. Sections 5-5, 5-5a, 9-1 of the Illinois Public Aid Code [305 ILCS 5/5-5, 5-5a and 9-1]

23. Section 13 of the Illinois Affordable Housing Act [310 ILCS 65/13]
24. Respite Program Act [320 ILCS 10/1]
25. Elder Abuse Demonstration Project Act [320 ILCS 15/1]
26. Elder Abuse and Neglect Act [320 ILCS 20/1]
27. Section 12 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act [320 ILCS 25/1]
28. Partnership For Long-Term Care Act [320 ILCS 35/1]
29. Section 10 of the All-Inclusive Care For the Elderly Act [320 ILCS 40/10]
30. Senior Citizens Child Care Support Act [320 ILCS 45/1]
31. Sections 1-1, 1-2, 1-3, 1-4 and 1-5 of the Developmental Disabilities Services Law [405 ILCS 80/1-1, 1-2, 1-3, 1-4 and 1-5.1]
32. Section 6 of the Alzheimer's Disease Assistance Act [410 ILCS 405/6]
33. Section 17A-1 of the Criminal Code of 1961 [720 ILCS 5/17A-1]

C. FROM THE DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Alcoholism and Substance Abuse, or any office, division, council, committee, bureau, associated board, or employee thereof by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Human Services:

1. Sections 3, 4, 9.27, 9.28 and 9.29 of the Civil Administrative Code of Illinois [20 ILCS 5/3, 4, 9.27, 9.28 and 9.29]
2. Section 4 of the Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/4]
3. The Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 30/1-1]
4. Section 18a-13 of the Children and Family Services Act [20 ILCS 505/18a-13]
5. Section 10.7 of the Illinois Lottery Law [20 ILCS 1605/10.7]
6. Section 10 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/10]
7. Section 55.44, 55.59 and 55.71 and of the Civil Administrative Code of Illinois, Part 10 [20 ILCS 2310/55.44, 55.59 and 55.71]
8. Section 1003 of the Planning Council on Mental Health Law [20 ILCS 4015/1003]
9. Section 10 of the Illinois Violence Prevention Act of 1995 [20 ILCS 4027/10]
10. Section 14-110 of the Illinois Pension Code [40 ILCS 5/14-110]
11. Sections 3-3013 and 5-25013 of the Counties Code [55 ILCS 5/3-3013 and 5-25013]
12. Sections 30-145 and 190-10 of the Township Code [60 ILCS 1/30-145 and 190-10]
13. Sections 2-3.70, 2-3.92, 2-3.93, 14-3.01, 14-12.02 and 14-15.01 of the School Code [105 ILCS 5/2-3.70, 2-3.92, 2-3.93, 14-3.01, 14-12.02, and 14-15.01]
14. Section 5 of the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110/5]
15. Section 367d.1 of the Illinois Insurance Code [215 ILCS 5/367d.1]

16. Section 3 of the Child Care Act of 1969 [225 ILCS 10/3]
17. Section 7 of the Medical Practice Act of 1987 [225 ILCS 60/7]
18. Section 5 of the Nursing Home Administrators Licensing and Disciplinary Act [225 ILCS 70/5]
19. Section 34.1 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/34.1]
20. Section 13.1 of the Riverboat Gambling Act [230 ILCS 10/13.1]
21. Section 4.3 of the Bingo License and Tax Act [230 ILCS 25/4.3]
22. Section 8.1 of the Charitable Games Act [230 ILCS 30/8.1]
23. Sections 3-12 and 6-27 of the Liquor Control Act [235 ILCS 5/3-12 and 6-27]
24. Sections 3-1.4, 4-1.2a, 5-5, 5-16.3, 6-1.3, 6-1.3a, 9-1, 9-9, 12-4.5, 7.3b of the Illinois Public Aid Code [305 ILCS 5/3-1.4, 4-1.2a, 5-5, 5-16.3, 6-1.3, 6-1.3a, 9-1, 9-9 and 12-4.5]
25. Sections 7.3b, 7.3c, 8.1, 8.2 and 11.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.3b, 7.3c, 8.1, 8.2 and 11.1]
26. Section 4 of the Early Intervention Services System Act [325 ILCS 20/4]
27. Sections 2, 3a, 3e and 10 of the Community Mental Health Act [405 ILCS 20/2, 3a, 3e and 10]
28. Sections 1, 2, 3, and 4 of the Community Services Act [405 ILCS 30/1, 2, 3 and 4]
29. Sections 10 and 30 of the Community Mental Health Equity Funding Act [405 ILCS 70/10 and 30]
30. Section 5 of the Consent by Minors to Medical Procedures Act [410 ILCS 210/5]
31. Section 11-501 of the Illinois Vehicle Code [625 ILCS 5/11-501]
32. Sections 4-9, 4-21 and 5-23 of the Juvenile Court Act of 1987 [705 ILCS 405/4-9, 4-21 and 5-23]
33. The Cannabis Control Act [720 ILCS 550/1]
34. The Illinois Controlled Substances Act [720 ILCS 570/100]
35. Sections 5 and 5.2 of the Narcotics Profit Forfeiture Act [725 ILCS 175/5 and 5.2]
36. Sections 3-2.2, 3-10-2, 5-4-1, 5-5-3 and 5-9-1.2 of the Unified Code of Corrections [730 ILCS 5/3-2.2, 3-10-2, 5-4-1, 5-5-3, 5-9-1.2]
37. Section 8-2002 of the Code of Civil Procedure [735 ILCS 5/8-2002]
38. Section 7 of the Controlled Substance and Cannabis Nuisance Act [740 ILCS 40/7]
39. Section 7.1 of the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110/7.1]
40. Section 3 of the Alcoholism and Drug Addiction Intervenor and Reporter Immunity Law [745 ILCS 35/3]

D. FROM THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Mental Health and Developmental Disabilities, or any office, division, council, committee, bureau, associated board, or employee thereof, by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Human Services:

1. Section 1 of the Public Employee Disability Act [5 ILCS 345/1]
2. Sections 1 and 2 of the State Employee Indemnification Act [5 ILCS 350/1 and 350/2]
3. Section 3 of the State Employees Group Insurance Act of 1971 [5 ILCS 375/3]
4. Section 4 of the Supported Employees Act [5 ILCS 390/4]
5. Section 38.1 of the Civil Administrative Code of Illinois (Part 2) [15 ILCS 20/38.1]
6. Sections 3, 4, 6.04, 7.07, 7.07a, 9.06, 9.29 and 12 of the Civil Administrative Code of Illinois (Part 1) [20 ILCS 5/3, 5/4, 5/6.04, 5/7.07, 5/7.07a, 5/9.06, 5/9.29 and 5/12]
7. Section 4 of the Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/4]
8. Sections 4.02, 8.01 and 8.04 of the Illinois Act on the Aging [20 ILCS 105/4.02, 105/8.01 and 105/8.04]
9. Sections 5-10 and 10-45 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10 and 10-45]
10. Sections 67.24 and 67.26 of the Civil Administrative Code of Illinois (Part 15) [20 ILCS 405/67.24 and 405/67.26]
11. Sections 17a-11, 18a-13, 36 and 40 of the Children and Family Services Act [20 ILCS 505/17a-11, 505/18a-13, 505/36 and 505/40]
12. The Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/0.01]
13. The Civil Administrative Code of Illinois (Part 9.5) [20 ILCS 1710/53]
14. Section 12a of the Disabled Persons Rehabilitation Act [20 ILCS 2405/12a]
15. Section 1 of the Hearing Impaired and Behavior Disordered Children Services Act [20 ILCS 2425/1]
16. Sections 15, 35 and 65 of the Domestic Abuse of Disabled Adults Intervention Act [20 ILCS 2435/15, 2435/35 and 2435/65]
17. Section 15 of the Government Buildings Energy Cost Reduction Act of 1991 [20 ILCS 3953/15]
18. Section 35 of the Guardianship and Advocacy Act [20 ILCS 3955/35]
19. Section 15 of the Home and Community-Based Services Act [20 ILCS 3957/15]
20. Section 4 and 6.01 of the Illinois Health Facilities Planning Act. [20 ILCS 3960/4 and 3960/6.01]
21. Section 2 of the Interagency Coordinating Council Act [20 ILCS 3970/2]
22. Section 2 of the Laboratory Review Board Act [20 ILCS 3980/2]
23. The Medical Cost Advisory Committee Act [20 ILCS 3995/0.01]
24. Section 2004 of the Illinois Planning Council on Developmental Disabilities Law [20 ILCS 4010/2004]
25. Section 1003 of the Planning Council on Mental Health Law [20 ILCS 4015/1003]
26. Section 10 of the Illinois Violence Prevention Act of 1995 [20 ILCS 4027/10]
27. Sections 11A-7 and 11A-8 of the Legislative Commission Reorganization Act of 1984 [25 ILCS 130/11A-7 and 130/11A-8]
28. Section 3-2 of the Illinois State Auditing Act [30 ILCS 5/3-2]
29. Sections 6b, 8.8 and 30c of the State Finance Act [30 ILCS 105/6b,

30. Section 10 of the Human Services Provider Bond Reserve Payment Act [30 ILCS 435/10]
31. Section 7-2 of the Illinois Purchasing Act [30 ILCS 505/7-2]
32. Sections 14-108, 14-110, 14-133, 16-106 and 16-133.3 of the Illinois Pension Code [40 ILCS 5/14-108, 5/14-110, 5/14-133, 5/16-106 and 5/16-133.3]
33. Section 2 of the Interstate Compact on Mental Health Act [45 ILCS 40/2]
34. Section 2 of the Interstate Compact on Mentally Disordered Offenders Act [45 ILCS 45/2]
35. Sections 3-3013, 4-2001, 5-25013 and 6-30002 of the Counties Code [55 ILCS 5/3-3013, 5/4-2001, 5-25013 and 5/6-30002]
36. Section 13 of the County Care for Mentally Retarded and Developmentally Disabled Persons Act [55 ILCS 105/13]
37. Sections 30-145, 185-65 and 190-10 of the Township Code [60 ILCS 1/30-145, 1/185-65 and 1/190-10]
38. Sections 11-22-2, 11-23-3 and 11-29.1-13 of the Illinois Municipal Code [65 ILCS 5/11-22-2, 5/11-23-3 and 5/11-29.1-13]
39. Section 17 of the Public Health District Act [70 ILCS 905/17]
40. Sections 2-3.30, 2-3.76, 2-3.79, 2-3.83, 2-3.98, 10-22.6, 14-3.01, 14-7.02, 14-11.02 and 14-15.01 of the School Code [105 ILCS 5/2-3.30, 5/2-3.76, 5/2-3.79, 5-2-3.83, 5/2-3.98, 5/10-22.6, 5/14-3.01, 5/14-7.02, 5/14-11.02 and 5/14-15.01]
41. Section 5 of the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110/5]
42. Section 3 of the Sex Education Act [105 ILCS 130/3]
43. The Adult Education Reporting Act [105 ILCS 410/0.01]
44. Sections 1 and 4 of the University of Illinois Institutes for Juvenile Research and Developmental Disabilities Act [110 ILCS 350/1 and 350/4]
45. Sections 4, 6, 6.2, 6.3, 6.5, 6.8 and 14 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30/4, 30/6, 30/6.2, 30/6.3, 30/6.5, 30/6.8 and 30/14]
46. Sections 7, 13 and 14 of the Community Living Facilities Licensing Act [210 ILCS 35/7, 35/13 and 35/14]
47. Sections 1-113, 2-204, 3-108, 3-108a and 3-203 of the Nursing Home Care Act [210 ILCS 45/1-113, 45/2-204, 45/3-108, 45/3-108a and 45/3-203]
48. Sections 6.05, 6.11, 9.1 and 10 of the Hospital Licensing Act [210 ILCS 85/6.05, 85/6.11, 85/9.1 and 85/10]
49. The Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135/1]
50. The Community Residential Alternatives Licensing Act [210 ILCS 140/1]
51. Sections 356b and 367b of the Illinois Insurance Code [215 ILCS 5/356b and 5/367b]
52. Section 4-9.1 of the Health Maintenance Organization Act [215 ILCS 125/4-3.1]
53. Section 15a of the Voluntary Health Services Plans Act [215 ILCS 165/15a]
54. Section 7 of the Child Care Act of 1969 [225 ILCS 10/7]

55. Sections 18 and 23a of the Illinois Dental Practice Act [225 ILCS 25/18 and 25/23a]
56. Sections 15 and 65 of the Health Care Worker Background Check Act [225 ILCS 46/15 and 46/65]
57. Section 25 of the Medical Practice Act of 1987 [225 ILCS 60/25]
58. Section 27 of the Illinois Nursing Act of 1987 [225 ILCS 65/27]
59. Sections 3, 15 and 33 of the Pharmacy Practice Act of 1987 [225 ILCS 85/3, 85/15 and 85/33]
60. Section 7 of the Physician Assistant Practice Act of 1987 [225 ILCS 95/7]
61. Section 24 of the Podiatric Medical Practice Act of 1987 [225 ILCS 100/24]
62. Section 70 of the Wholesale Drug Distribution Licensing Act [225 ILCS 120/70]
63. Sections 3-1.4, 4-1.2a, 5-5.7, 5-5.8b, 5-11, 5-11.1, 5-16.3, 5A-3, 5C-7, 6-1.3a, 10-16.2, 12-4.5, 12-4.7, 12-13.1 and 14-8 of the Illinois Public Aid Code [305 ILCS 5/3-1.4, 5/4-1.2a, 5/5-5.7, 5/5-5.8b, 5/5-11, 5/5-11.1, 5/5-16.3, 5/5A-3, 5/5C-7, 5/6-1.3a, 5/10-16.2, 5/12-4.5, 5/12-4.7, 5/12-13.1 and 5/14-8]
64. Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4]
65. Sections 4 and 9 of the Early Intervention Services System Act [325 ILCS 20/4 and 20/9]
66. Section 4 of the Interagency Board for Hearing Impaired/Behavior Disordered Children Act [325 ILCS 35/4]
67. The Mental Health and Developmental Disabilities Code [405 ILCS 5/1-100]
68. Section 2 of the Mental Treatment for Incarcerated Persons Act [405 ILCS 15/2]
69. Sections 2, 3a, 3e, 8 and 10 of the Community Mental Health Act [405 ILCS 20/2, 20/3a, 20/3e, 20/8 and 20/10]
70. The Specialized Living Centers Act [405 ILCS 25/1]
71. Sections 1, 4, 4.1 and 4.2 of the Community Services Act [405 ILCS 30/1, 30/4, 30/4.1 and 30/4.2]
72. The Community Support Systems Act [405 ILCS 35/1]
73. Section 3 of the Protection and Advocacy for Mentally Ill Persons Act [405 ILCS 45/3]
74. The Mental Illness Services Pilot Project Act [405 ILCS 50/0.01]
75. The Mental Health Patient Travel Act [405 ILCS 55/0.01]
76. Section 2 of the Community Mental Health Task Force Act [405 ILCS 60/2]
77. Sections 5, 10, 15, 20, 25, 30, 35 and 45 of the Community Mental Health Equity Funding Act [405 ILCS 70/5, 70/10, 70/15, 70/20, 70/25, 70/30, 70/35 and 70/45]
78. Sections 1-3, 2-2, 2-3, 3-2, 3-3, 4-1 and 5-1 of the Developmental Disability and Mental Disability Services Act [405 ILCS 80/1-3, 80/2-3, 80/2-3, 80/3-2, 80/3-3, 80/4-1 and 80/5-1]
79. The Home Environment Living Program [405 ILCS 85/1]
80. Section 7 of the Infant Mortality Reduction Act [410 ILCS 220/7]
81. Section 6 of the Alzheimer's Disease Assistance Act [410 ILCS 405/6]
82. Section 6 of the Head and Spinal Cord Injury Act [410 ILCS 515/6]
83. Section 3.1 of the Firearm Owners Identification Card Act [430 ILCS

- 65/3.1]
84. Sections 12-215 and 12-806a of the Illinois Vehicle Code [625 ILCS 5/12-215 and 5/12-806a]
85. The Medical Fees of State Inmate Escapees Act [705 ILCS 510/1]
86. Sections 104-13, 104-17, 104-23, 104-24, 104-25, 104-26, 104-27, 104-28, 104-30, 104-31 and 110-6.3 of the Code of Criminal Procedure of 1963 [725 ILCS 5/104-13, 5/104-17, 5/104-23, 5/104-24, 5/104-25, 5/104-26, 5/104-27, 5/104-28, 5/104-30, 5/104-31 and 5/110-6.3]
87. Sections 4.5, 5 and 9 of the Rights of Crime Victims and Witnesses Act [725 ILCS 120/4.5, 120/5 and 120/9]
88. Sections 3-6-2, 3-8-5, 3-8-6, 3-10-2, 3-10-5, 3-10-6, 3-12-12, 3-14-5, 5-2-4 and 5-2-6 of the Unified Code of Corrections [730 ILCS 5/3-6-2, 5/3-8-5, 5/3-8-6, 5/3-10-2, 5/3-10-5, 5/3-10-6, 5/3-12-12, 5/3-14-5, 5/5-2-4 and 5/5-2-6]
89. Section 14 of the County Jail Act [730 ILCS 125/14]
90. Sections 8-2002 and 8-2101 of the Code of Civil Procedure [735 ILCS 5/8-2002 and 5/8-2101]
91. The Escaped Inmate Damages Act [740 ILCS 60/0.01]
92. The Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110/1]
93. Sections 505.2 and 706.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505.2 and 5/706.1]
94. Section 4.1 of the Non-Support of Spouse and Children Act [750 ILCS 15/4.1]
95. Section 26.1 of the Revised Uniform Reciprocal Enforcement of Support Act [750 ILCS 20/26.1]
96. Section 20 of the Illinois Parentage Act of 1984 [750 ILCS 45/20]
97. Sections 11-3 and 27-1 of the Probate Act of 1975 [755 ILCS 5/11-3 and 5/27-1]

E. FROM THE DEPARTMENT OF REHABILITATION SERVICES TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Rehabilitation Services, or any office, division, council, committee, bureau, associated board, or employee thereof, by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Human Services:

1. Disabled Persons Rehabilitation Act [20 ILCS 2405]
2. Blind Persons Operating Vending Facilities Act [20 ILCS 2420]
3. Bureau for the Blind Act [20 ILCS 2410]
4. Section 9-113.1 of the Illinois Highway Code [605 ILCS 5/9-113.1]
5. Domestic Abuse of Disabled Adults Intervention Act [20 ILCS 2435]
6. Section 6.23 of the Civil Administrative Code of Illinois [20 ILCS 5/6.23]
7. Section 7.02 of the Illinois Act on the Aging [20 ILCS 105/7.02]
8. Section 8.01 of the Illinois Act on the Aging [20 ILCS 105/8.01]
9. Section 8.04 of the Illinois Act on the Aging [20 ILCS 105/8.04]
10. Section 10-45 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/10-45]
11. Section 19a of the Personnel Code [20 ILCS 415/19a]

12. Section 18a-13 of the Children and Family Services Act [20 ILCS 505/18a-13]
13. Section 3 of the Illinois Coordinating Committee on Transportation Act [20 ILCS 3925/3]
14. Section 10 of the General Assistance Job Opportunities Act [20 ILCS 3940/10]
15. Section 15 of the Home and Community-Based Services Act [20 ILCS 3957/15]
16. Section 2 of the Interagency Coordinating Council Act [20 ILCS 3970/2]
17. Section 3 of the Illinois Job Training Coordinating Council Act [20 ILCS 3975/3]
18. Section 2004 of the Illinois Planning Council on Developmental Disabilities Law [20 ILCS 4010/2004]
19. Section 1003 of the Planning Council on Mental Health Law [20 ILCS 4015/1003]
20. Sections 7-1 and 7-2 of the Illinois Purchasing Act [30 ILCS 505/7-1 and 7-2]
21. Section 5 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575/5]
22. Section 2-3.79 of the School Code [105 ILCS 5/2-3.79]
23. Section 14-3.01 of the School Code [105 ILCS 5/14-3.01]
24. Section 14-7.02 of the School Code [105 ILCS 5/14-7.02]
25. Section 14-11.02 of the School Code [105 ILCS 5/14-11.02]
26. Section 14-15.01 of the School Code [105 ILCS 5/14-15.01]
27. Section 50 of the Partnership for Long-Term Care Act [320 ILCS 35/50]
28. Section 4 of the Early Intervention Services System Act [325 ILCS 20/4]
29. Section 4 of the Interagency Board for Hearing Impaired/Behavior Disordered Children Act [325 ILCS 35/4]
30. Section 6 of the Alzheimer's Disease Assistance Act [410 ILCS 405/6]
31. Section 6 of the Head and Spinal Cord Injury Act [410 ILCS 515/6]
32. Section 5.110 of the State Finance Act [30 ILCS 105/5.110]
33. Section 5.28 of the State Finance Act [30 ILCS 105/5.28]
34. Section 26 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/26]
35. Section 1 of the State Officers and Employees Money Disposition Act [30 ILCS 230/1]
36. Section 5.220 of the State Finance Act [30 ILCS 105/5.220]
37. Section 4.02 of the Illinois Act on the Aging [20 ILCS 105/4.02]
38. Section 11A-3 of the Legislative Commission Reorganization Act of 1984 [25 ILCS 130/11A-3]
39. Section 3-1.4 of the Illinois Public Aid Code [305 ILCS 5/3-1.4]
40. Section 4-1.2a of the Illinois Public Aid Code [305 ILCS 5/4-1.2a]
41. Sections 5-5 and 5-5a of the Illinois Public Aid Code [305 ILCS 5/5-5 and 5-5a]
42. Sections 4.02 and 4.03 of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.03]
43. Section 18.2 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/18.2]
44. Section 18.3 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/18.3]
45. Section 66 of the Department of Mental Health and Developmental

- Disabilities Act [20 ILCS 1705/66]
46. Section 4.2 of the Community Services Act [405 ILCS 30/4.2]
47. Subsection h of Section 10 and Section 30 of the Community Mental Health Equity Funding Act [405 ILCS 70/10(h) and 30]
48. Section 1-3 of the Developmental Disabilities Services Law [405 ILCS 80/1-3]
49. Section 2-11 of the Developmental Disabilities Services Law [405 ILCS 80/2-11]
50. Section 12.1 of the Children and Family Services Act [20 ILCS 505/12.1]
51. Section 12.2 of the Children and Family Services Act [20 ILCS 505/12.2]
52. The Hearing Impaired and Behavior Disordered Children Services Act [20 ILCS 2425]
53. Section 2-3.75 of the School Code [105 ILCS 5/2-3.75]
54. Section 2-3.30 of the School Code [105 ILCS 5/2-3.30]
55. Section 14-8.03 of the School Code [105 ILCS 5/14-8.03]
56. Section 14-8.04 of the School Code [105 ILCS 5/14-8.04]
57. The Adult Education Reporting Act [105 ILCS 410]
58. Section 10 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30/10]
59. Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4]
60. Section 11.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/11.1]
61. Section 9 of the Early Intervention Services System Act [325 ILCS 20/9]
62. Subsection d(1) of Section 3 of the Supported Employees Act [5 ILCS 390/3(d)(1)]
63. Section 4 of the Supported Employees Act [5 ILCS 390/4]
64. Section 18c of the Secretary of State Merit Employment Code [15 ILCS 310/18c]
65. Section 8.5 of the Illinois Purchasing Act [30 ILCS 505/8.5]
66. Subsection c(1)(A) of Section 36s of the State Universities Civil Service Act [110 ILCS 70/36s(c)(1)(A)]
67. Section 4 of the Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/4]
68. Section 4.06 of the Illinois Act on the Aging [20 ILCS 105/4.06]
69. Subsection b of Section 67.18 of the Civil Administrative Code of Illinois [20 ILCS 405/67.18(b)]
70. Subsection a of Section 67.24 of the Civil Administrative Code of Illinois [20 ILCS 405/67.24(a)]
71. Section 14 of the Public Employment Office Act [20 ILCS 1015/14]
72. Section 16-106 of the Illinois Pension Code [40 ILCS 5 16-106]
73. Section 16-133.3 of the Illinois Pension Code [40 ILCS 5/16-133.3]
74. Section 65 of the Health Care Worker Background Check Act [225 ILCS 46/65]
75. Section 6-1.3a of the Public Aid Code [305 ILCS 5 6-1.3a]
76. The Partnership for Long-Term Care Act [320 ILCS 35]
77. The Telecommunication Devices for the Deaf Act [410 ILCS 68]
78. Subsection (b) of Section 12-806a of the Illinois Vehicle Code [625 ILCS 5/12-806a(b)]

Services Act [20 ILCS 505/17a(5), 17a(9) and 17a(10)]
2. Section 5-10(7) of the Juvenile Court Act [20 ILCS 405/5-10(7)]
These changes are effective July 1, 1997.

79. Sections 104-17, 104-25 and 104-30 of the Code of Criminal Procedure of 1963. [725 ILCS 5/104-17, 104-25 and 104-30]
80. Section 2-1207 of the Code of Civil Procedure [735 ILCS 5/2-1207]
81. Section 7.1 of the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110/7.1]

III. EFFECT OF TRANSFER ON JULY 1, 1997

A. The Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and Department of Rehabilitation Services and all offices, bureaus, councils, committees and divisions thereof are abolished effective July 1, 1997.

B. The terms of the persons serving as the Directors and Assistant Directors of the Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and Department of Rehabilitation Services shall end on July 1, 1997.

C. Personnel employed by the Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and Department of Rehabilitation Services shall continue their service with the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

D. Whenever any provision of an Executive Order or any Act or Section thereof transferred by this Executive Order provides for membership of the Director of the Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and/or Department of Rehabilitation Services, the Secretary of the Department of Human Services or his/her designee(s) shall serve in that place. If more than one such Director is required by law to serve on any council, committee, commission, board or other entity, an equivalent number of representatives of the Department of Human Services shall so serve.

E. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers and duties transferred by this Executive Order from the Department on Aging, Department of Alcoholism and Substance Abuse, Department of Mental Health and Developmental Disabilities, and/or Department of Rehabilitation Services, shall be delivered and transferred to the Department of Human Services.

F. Personnel previously assigned to functions associated with the Tri-Agency Program (adolescent psychiatric treatment) in the Department of Children and Family Services that are being transferred to the Department of Human Services are transferred to the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

G. Personnel previously assigned to functions associated with employment related child day care services or planning for child day care services in the Department of Children and Family Services that are being transferred to the Department of Public Aid are transferred to the Department of Public Aid. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

F. FROM THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES TO THE DEPARTMENT OF HUMAN SERVICES

The following functions of the Department of Children and Family Services, and any office, division, council, committee, bureau, associated board or employee thereof, and all rights, powers, and duties incidental thereto are transferred to the Department of Human Services:

1. The Tri-Agency Program

G. FROM THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES TO THE DEPARTMENT OF PUBLIC AID

The following rights, powers and duties by law vested in the Department of Children and Family Services, or any office, division, council, committee, bureau, associated board, or employee thereof, by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Public Aid:

1. Sections 5(A)(3)(b), 5(a)(3)(G), 5(a)(3)(H), 5(e) through 5(f), 5a(a), the third paragraph of 5a(e), 5b, 17 through 17a(4), 17a(6), 22.1, 22.4 and 34.10 of the Children and Family Services Act [20 ILCS 505/5(A)(3)(B) 5(a)(3)(G), 5(a)(3)(H), 5(e) through 5(f), 5a(a), the third paragraph of 5a(e), 5b, 17 through 17a(4), 17a(6), 22.1, 22.4 and 34.10]

The following functions of the Department of Children and Family Services, and any office, division, council, committee, bureau, associated board or employee thereof, and all rights, powers and duties incidental thereto, are transferred to the Department of Public Aid:

1. The Community Services Program
2. The Parents Too Soon Program
3. The Positive Youth Development Program
4. The Title XX - Donated Funds Initiative
5. The Delinquency Prevention Program

H. FROM THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES TO THE DEPARTMENT OF CORRECTIONS

The following functions of the Department of Children and Family Services, and any office, division, council, committee, bureau, associated board or employee thereof, and all rights, powers, and duties incidental thereto are transferred to the Department of Corrections:

1. Sections 17a(5), 17a(9) and 17a(10) of the Children and Family

H. Personnel previously assigned to functions associated with youth delinquency prevention programs in the Department of Children and Family Services that are being transferred to the Department of Corrections are transferred to the Department of Corrections. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

I. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers, duties, and functions transferred by this Executive Order from the Department of Children and Family Services to the Department of Human Services shall be delivered and transferred to the Department of Human Services.

J. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers, duties, and functions transferred by this Executive Order from the Department of Children and Family Services to the Department of Public Aid shall be delivered and transferred to the Department of Public Aid.

K. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers, duties, and functions transferred by this Executive Order from the Department of Children and Family Services to the Department of Corrections shall be delivered and transferred to the Department of Corrections.

L. Personnel previously assigned to functions associated with the circuitbreaker or pharmaceutical programs in the Department of Revenue that are being transferred to the Department of Human Services are transferred to the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

M. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers, duties, and functions transferred by this Executive Order from the Department of Revenue to the Department of Human Services shall be delivered and transferred to the Department of Human Services.

These changes are effective July 1, 1997.

IV. TRANSFER OF POWERS EFFECTIVE JANUARY 1, 1998

A. FROM THE DEPARTMENT OF PUBLIC AID TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Public Aid, or any office, division, council, committee or bureau thereof by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Human Services:

1. Paragraph (c) of Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65(c)]
2. Section 7.1 of the Freedom of Information Act [5 ILCS 140/7.1]
3. Section 3 of the Intergovernmental Cooperation Act [5 ILCS 220/3]
4. Paragraph (u) of Section 3 of the State Employees Group Insurance Act

of 1971 [5 ILCS 375/3(u)]

5. Section 10 of the Child Support Information Act [5 ILCS 405/10]
6. Section 1A-15; subparagraph 6. of paragraph (a) of Section 4-6.2; subparagraph 6. of paragraph (a) of Section 5-16.2; and subparagraph 6. of paragraph (a) of Section 6-50.2 of the Election Code [10 ILCS 5/1A-15, 5/4-6.2(a)6., 5/5-16.2(a)6., and 5/6-50.2(a)6.]
7. Paragraph (d) of Section 20 of the Illinois Literacy Act [15 ILCS 322/20(d)]
8. Section 9.03; paragraph (a) of Section 9.05; and Section 10.05a of the State Comptroller Act [15 ILCS 405/9.03, 405/9.05(a), and 405/10.05a]
9. Sections 3, 4, 5.13c, 7.09, and 9.17 of the Civil Administrative Code of Illinois (Part 1) [20 ILCS 5/3, 5/4, 5/5.13c, 5/7.09, and 5/9.17]
10. Subparagraph (2) of paragraph (a) of Section 4 of the Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/4(a)(2)]
11. Sections 4, 4.02, 4.02b, 4.06 and 5.01 of the Illinois Act on the Aging [20 ILCS 105/4, 105/4.02, 105/4.02b, 105/4.06, and 105/5.01]
12. Subparagraph (4) of paragraph (a), and subparagraph (9) of paragraph (b) of Section 5-10; and paragraph (1) of Section 10-15 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10(a)(4) and (b)(9); 301/10-45(1)]
13. Sections 8a, 8b.1, 8b.17, and 12c; and paragraph (1) of Section 10 of the Personnel Code [20 ILCS 415/8a, 415/8b.1, 415/8b.17, 415/10(1), and 415/12c]
14. Subparagraph (4) of paragraph (e), and paragraph (f) of Section 5; Section 9.1; subparagraph (6) of paragraph (b) of Section 18a-13; paragraph (b), and subparagraph (2) of paragraph (c) of Section 34.10; and paragraph (b) of Section 34.11 of the Children and Family Services Act [20 ILCS 505/5(e)(4) and (f); 505/9.1; 505/18a-13(b)(6); 505/34.10(b) and (c)(2); and 505/34.11(b)]
15. Paragraph (c) of Section 7 of the Illinois Emergency Employment Development Act [20 ILCS 630/7(c)]
16. Subparagraph (5) of paragraph (B) of Section 6 of the Illinois Enterprise Zone Act [20 ILCS 655/6(B)(5)]
17. Section 13 of the Illinois Lottery Law [20 ILCS 1605/13]
18. Sections 15c, 15.2, 15.3, 18, 18.2, 18.3, and 50a of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/15c, 1705/15.2, 1705/15.3, 1705/18, 1705/18.2, 1705/18.3, and 1705/50a]
19. Paragraph 5 of Section 60; and Section 60n of the Civil Administrative Code of Illinois (Part 12.5) [20 ILCS 2105/60(5), and 2105/60n]
20. Sections 48a and 48b of the Civil Administrative Code of Illinois (Part 8) [20 ILCS 2205/48a and 2205/48b]
21. Sections 2, 3, and 3.2 of the Domestic Violence Shelters Act [20 ILCS 2210/2, 2210/3, and 2210/3.2]
22. Paragraphs (c), (d), (e), and (k) of Section 3-1; Section 3-6; paragraphs (c) and (e), and subparagraph (2) of paragraph (d) of Section 4-2; and paragraph (a) of Section 5-1 of the Illinois Health Finance Reform Act [20 ILCS 2215/3-1(c), (d), (e), and (k); 2215/3-6; 2215/4-2(c), (d)(2), and (e); and 2215/5-1(a)]
23. Section 55.37; paragraph (a) of Section 55.61; subparagraph (7) of

- paragraph (b) of Section 55.62; paragraph (a), and subparagraph (1) of paragraph (b) of Section 55.71; and paragraph (a) of Section 55.78 of the Civil Administrative Code of Illinois (Part 10) [20 ILCS 2310/55.37, 2310/55.61(a), 2310/55.62(b)(7), 2310/55.71(a) and (b)(1), and 2310/55.78(a)]
24. Paragraph (f) of Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(f)]
25. Section 39b52 of the Civil Administrative Code of Illinois (Part 2.5) [20 ILCS 2505/39b52]
26. Paragraphs (3) and (10) of Section 3 of the Illinois Coordinating Committee on Transportation Act [20 ILCS 3925/3(3) and (10)]
27. Paragraph (1) of Section 10 of the General Assistance Job Opportunities Act [20 ILCS 3940/10(1)]
28. Paragraphs (a) and (b) of Section 15 of the Home and Community-Based Services Act [20 ILCS 3957/15(a) and (b)]
29. Section 2 of the Interagency Coordinating Council Act [20 ILCS 3970/2]
30. Paragraph (b) of Section 3 of the Illinois Job Training Coordinating Council Act [20 ILCS 3975/3(b)]
31. Paragraph (3) of paragraph (a) of Section 1003 of the Planning Council on Mental Health Law [20 ILCS 4015/1003(a)(3)]
32. Subparagraph (1) of paragraph (a) of Section 5; Sections 15, 20, and 30 of Primary Care Medical Education Advisory Committee Act [20 ILCS 4022/5(a)(1), 4022/15, 4022/20, and 4022/30]
33. Section 10 of Illinois Violence Prevention Act of 1995 [20 ILCS 4027/10]
34. Paragraph (a) of Section 11A-8 of the Legislative Commission Reorganization Act of 1984 [25 ILCS 130/11A-8(a)]
35. Section 3-1 of the Illinois State Auditing Act [30 ILCS 5/3-1]
36. Sections 6b, 6z-8a, 6z-40, 8.27; subparagraphs (2) and (3) of paragraph (a), and paragraphs (b) and (c) of Section 6z-30; and paragraphs (b), (e), (f), and (g) of Section 25 of the State Finance Act [30 ILCS 105/6b; 105/6z-8a; 105/6z-30(a)(2) and (3), (b), and (c); 105/6z-40; 105/8.27; 105/25(b), (e), (f), and (g)]
37. Section 5 of the State Employee Industrial Commission Awards Act [30 ILCS 260/5]
38. Paragraph (b) of Section 10 of the Human Services Provider Bond Reserve Payment Act [30 ILCS 435/10]
39. Paragraph (c) of Section 917 of the Illinois Income Tax Act [35 ILCS 5/917(c)]
40. Paragraph (e) of Section 9-108; Section 9-108.1; paragraph (c) of Section 9-169; Section 9-238; and paragraph (e) of Section 14-108 of the Illinois Pension Code [40 ILCS 5/9-108(e), 5/9-108.1, 5/9-169(c), 5/9-238, and 5/14-108(e)]
41. Paragraph (a) of Section 4-2002; paragraph (a) of Section 4-2002.1; paragraph (a) of Section 5-1065; and Sections 5-2006, 5-21009, and 5-37006 of the Counties Code [55 ILCS 5/4-2002(a), 5/4-2002.1(a), 5/5-1065(a), 5/5-2006, 5/5-21009, and 5/5-37006]
42. Paragraph (a) of Section 11-31.1-12.1, and Section 11-43-1 of the Illinois Municipal Code [65 ILCS 5/11-31.1-12.1(a), and 5/11-43-1]
43. Sections 10-22.18a and 10-22.20; paragraph (a) of Section 14-7.04; subparagraph (1) of paragraph (a) of Section 14-15.01; and Section

- 30-14.1 of the School Code [105 ILCS 5/10-22.18a, 5/10-22.20, 5/14-7.04(a), 5/14-15.01(a)(1), and 5/30-14.1]
44. Section 3 of the Sex Education Act [105 ILCS 130/3]
45. Paragraph (d-5) of Section 30, and paragraph (3) of Section 35 of the Alternative Health Care Delivery Act [210 ILCS 3/30(d-5) and 3/35(3)]
46. Section 4 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30/4]
47. Paragraph (e) and subparagraph (4) of paragraph (j) of Section 2-202; subparagraph (2) of paragraph (a) of Section 2-204; Sections 2-205 and 3-108; paragraphs (a) and (b) of Section 3-108a; paragraphs (c) and (d) of Section 3-208; subparagraph (8) of paragraph (a) of Section 3-304; paragraph (a) of Section 3-401.1; Sections 3-405, 3-406, 3-411, and 3-414; subparagraph (2) of paragraph (b) of 3-805; and Section 3A-101 of the Nursing Home Care Act [210 ILCS 45/2-202(e) and (j)(4); 45/2-204(a)(2); 45/2-205; 45/3-108; 45/3-108a(a) and (b); 45/3-208(c) and (d); 45/3-304(a)(8); 45/3-401.1(a); 45/3-405; 45/3-406; 45/3-411; 45/3-414; 45/3-805(b)(2); and 45/3A-101]
48. Paragraph (c) of Section 11 of the Home Health Agency Licensing Act [210 ILCS 55/11(c)]
49. Paragraph (e) of Section 352; paragraph (c) of Section 356b; Paragraph (c) of Section 367b; and paragraph (b) of Section 512-3 of the Illinois Insurance Code [215 ILCS 5/352(e), 5/356b(c), 5/367b(c), 5/512-3(b)]
50. Paragraph (b) of Section 4-9.1; and subparagraph (a) of paragraph (2), and subparagraph (c) of paragraph (8) of Section 6-8 of the Health Maintenance Organization Act [215 ILCS 125/4-9.1(b), and 125/6-8(2)(a) and (8)(c)]
51. Paragraph (c) of Section 2; paragraph (b) of Section 15a; and Section 25 of the Voluntary Health Services Plans Act [215 ILCS 165/2(c), 165/15a(b), and 165/25]
52. Paragraphs 9 and 22 of Section 23; and Section 23a of the Illinois Dental Practice Act [225 ILCS 25/23(9) and (22), and 25/23a]
53. Paragraph (a) of Section 4 of the Illinois Funeral or Burial Funds Act [225 ILCS 45/4(a)]
54. Subparagraphs 21 and 25 of paragraph A of Section 22; and Section 25 of the Medical Practice Act of 1987 [225 ILCS 60/2(A)(21) and (25) and 60/25]
55. Subparagraphs (34) and (35) of paragraph (a) of Section 110 of the Naprapathic Practice Act [225 ILCS 63/110(a)(34) and (35)]
56. Subparagraph 18 of paragraph (b) of Section 25; and Section 27 of the Illinois Nursing Act of 1987 [225 ILCS 65/25(b)(18) and 65/27]
57. Subparagraphs 32 and 33 of paragraph (a) of Section 24 of the Illinois Optometric Practice Act of 1987 [225 ILCS 80/24(a)(32) and (33)]
58. Subparagraphs 16 and 17 of paragraph (a) of Section 30; and Section 33 of the Pharmacy Practice Act of 1987 [225 ILCS 85/30(a)(16) and (17) and 85/33]
59. SubSections 23 and 25 of Section 24 of the Podiatric Medical Practice Act of 1987 [225 ILCS 100/24(23) and (25)]
60. Subparagraphs (h) and (q) of paragraph (1) of Section 16 of the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110/16(1)(h) and (q)]

61. Sections 1-1 through 15-9 of the Illinois Public Aid Code [305 ILCS 5/1-1]
62. Paragraph (b) of Section 3 of the Food and Housing Assistance Act [305 ILCS 10/3(b)]
63. Section 8 of the Energy Assistance Act [305 ILCS 15/8]
64. Paragraph (1) of Section 5; paragraph (c) of Section 8; Section 9; Paragraph (a) of Section 10; and paragraph (b) of Section 12 of the Energy Assistance Act of 1989 [305 ILCS 20/5(1); 20/8(c); 20/9; 20/10(a); and 20/12(b)]
65. Section 5 of the Family Resource Development Act [305 ILCS 30/5]
66. Paragraphs (4) and (5) of Section 1-2 of the Medicaid Revenue Act [305 ILCS 35/1-2(4) and (5)]
67. Paragraph (c) of Section 20 of the Nursing Home Grant Assistance Act [305 ILCS 40/20(c)]
68. Sections 10 and 25 of the Work Opportunity and Earnfare Act [305 ILCS 45/10 and 45/25]
69. Paragraph (a) of Section 5; and Section 10 of the Scientific Job Training Evaluation Act [305 ILCS 50/5 and 50/10]
70. Paragraph (a) of Section 3; and Section 4 of the Homelessness Prevention Act [310 ILCS 70/3(a) and 70/4]
71. Paragraph (c) of Section 4 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act [320 ILCS 25/4(c)]
72. Paragraph (a) of Section 15; paragraph (a) of Section 20; paragraph (e) of Section 30; Section 35 and paragraph (a) of Section 35; Paragraph (c) of Section 45; subparagraph (2) of paragraph (a) of Section 50; and Section 60 of the Partnership for Long-term Care Act [320 ILCS 35/15(a), 35/20(a), 35/30(e), 35/35, 35/35(a), 35/45(c), 35/50(2)(a) and 35/60]
73. Section 10; paragraph (a) of Section 15; and Section 30 of the All-Inclusive Care for the Elderly Act [320 ILCS 40/10, 40/15(a) and 40/30]
74. Sections 4 and 7.20 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4 and 5/7.20]
75. Subparagraph (1) of paragraph (a) of Section 4 of the Early Intervention Services System Act [325 ILCS 20/4(a)(1)]
76. Section 1 of the High Risk Youth Career Development Act [325 ILCS 25/1]
77. Section 4 of the Interagency Board for Hearing Impaired/Behavior Disordered Children Act [325 ILCS 35/4]
78. Sections 9 and 10 of the Military Veterans Assistance Act [330 ILCS 45/9 and 45/10]
79. Sections 5-107 and 5-107.1 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-107 and 5/5-107.1]
80. Paragraphs (d), (g), and (h) of Section 10; and Section 30 of the Community Mental Health Equity Funding Act [405 ILCS 70/10(d), (g), (h); and 70/30]
81. Paragraph (3) of Section 1-3 of the Developmental Disability and Mental Disability Services Act [405 ILCS 80/1-3(3)]
82. Paragraph (a) of Section 4; and Section 5 of the Home Environment Living Program [405 ILCS 85/4(a) and 85/5]
83. Paragraphs (a) and (b) of Section 11.1 of the Developmental

84. Disability Prevention Act [410 ILCS 250/11.1(a) and (b)]
85. Section 5 of the Alzheimer's Disease Assistance Act [410 ILCS 405/6] Paragraph (a) of Section 6 of the Head and Spinal Cord Injury Act [410 ILCS 515/6(a)]
86. Subparagraph (a) of paragraph (6) of Section 8; subparagraphs (a) and (b) of paragraph (5) of Section 12; subparagraph (c) of paragraph (1) of Section 17; paragraph (6) of Section 22; and paragraph (c) of Section 25.1 of the Vital Records Act [410 ILCS 535/8(6)(a), 535/12(5)(a) and (b), 535/17(1)(c), 535/22(6), and 535/25.1(c)]
87. Section 2b of the County Cooperative Extension Law [505 ILCS 45/2b]
88. Section 6-201.8 of the Illinois Highway Code [605 ILCS 5/6-201.8]
89. Paragraph (h) of Section 2-123; paragraphs (i) and (j) of Section 3-412; and Section 16-104b of the Illinois Vehicle Code [625 ILCS 5/2-123(h); 5/3-412(i) and (j); and 5/16-104b]
90. Section 27.6 of the Clerk of Courts Act [705 ILCS 105/27.6]
91. Section 1 of the Attorney Act [705 ILCS 205/1]
92. Paragraph (3) of Section 6-8; and paragraph (3) of Section 6-9 of the Juvenile Court Act of 1987 [705 ILCS 405/6-8(3) and 405/6-9(3)]
93. Subparagraph (5) of paragraph (a) of Section 12-2, and subparagraph (5) of paragraph (b) of Section 12-4 of the Criminal Code of 1961 [720 ILCS 5/12-2(a)(5) and 5/12-4(b)(5)]
94. Paragraph (p) of Section 3-2-2; paragraph (b) of Section 3-14-1; and paragraph (b) of Section 5-7-6 of the Unified Code of Corrections [730 ILCS 5/3-2-2(p), 5/3-14-1(b) and 5/5-7-6(b)]
95. Section 17 of the County Jail Act [730 ILCS 125/17]
96. Paragraph (b) of Section 12-710 of the Code of Civil Procedure [735 ILCS 5/12-710(b)]
97. Paragraph (a) of Section 7.1 of the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110-7.1(a)]
98. Paragraph (f) of Section 505; Section 505.1; subparagraph (3) of paragraph (a), and subparagraph (2) of paragraph (g) of Section 505.2; paragraphs (a) and (b) of Section 507; paragraph (a) of Section 510; Sections 516 and 704; paragraph (3), (4), (5), (6), and (7) of Section 705; subparagraph (8) of paragraph (a), and subparagraphs (2), (5), and (8) of paragraph (I) of Section 706.1; paragraphs (a), (d), and (h) of Section 709; and paragraph (b) of Section 712 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505(f); 5/505.1/5/505.2(a)(3) and (g)(2); 5/507(a) and (b); 5/510(a); 5/516; 5/704; 5/705(3), (4), (5), (6), and (7); 5/706.1(A)(8) and (I)(2), (5), and (8); 5/709(a), (d), and (h); and 5/712(b)]
99. Sections 1, 1b, 2.1, 3, 4, 11, and 12; and subparagraph (8) of paragraph (A), and subparagraphs (2), (5), and (9) of paragraph (I) of Section 4.1 of the Non-Support of Spouse and Children Act [750 ILCS 15/1; 15/1b; 15/2.1; 15/3; 15/4; 15/4.1(A)(8) and (I)(2), (5), (8); 15/11; and 15/12]
100. Sections 12, 15a, 24, 24.1, 29, 29A, 29B, and 38; paragraph (a) of Section 17; and subparagraph (8) of paragraph (A), and subparagraphs (2), (5) and (8) of paragraph (I) of Section 26.1 of the Revised Uniform Reciprocal Enforcement of Support Act [750 ILCS 20/12; 20/15a; 20/17(a); 20/24; 20/24.1; 20/26.1(A)(8) and (I)(2), (5), (8); 20/29; 20/29A; 20/29B; and 20/38]

101. Section 102, and paragraph (a) of Section 310 of the Uniform Interstate Family Support Act [750 ILCS 22/102, and 22/310(a)]
102. Paragraphs (d) and (h) of Section 3; and subparagraph (7) of paragraph (a) of Section 6 of the Expedited Child Support Act of 1990 [750 ILCS 25/3(d) and (h); and 25/6(a)(7)]
103. Section 4.1; subparagraph (3) of paragraph (a) of Section 5; paragraphs (e) and (e-5) of Section 6; paragraph (h) of Section 14; Section 15.1; paragraph (b) of Section 18; subparagraph (8) of paragraph (A), and subparagraphs (2), (3), (4), (5), and (6) of paragraph (I) of Section 20; paragraphs (2), (3), (4), (5), and (6) of Section 21; and Sections 22 and 23 of the Illinois Parentage Act of 1984 [750 ILCS 45/4.1; 45/5(a)(3); 45/6(e) and (e-5); 45/14(h); 45/15.1; 45/18(b); 45/20(A)(8) and (I)(2), (5), and (8); 45/21(2), (3), (4), (5), and (6); 45/22; and 45/23]
104. Paragraph A of Section 6 of the Adoption Act [750 ILCS 50/6(A.)]
105. Section 1300, and subsections (1), (3), and (4) of Section 1300; paragraph (a) of Section 1704.1; and Section 2104 of the Unemployment Insurance Act [820 ILCS 405/1300(1), (3), and (4); 405/1704.1(a); and 405/2104]
106. Sections 5(a)(3)(B), 5(a)(3)(G), 5(a)(3)(H), 5(e) through 5(f), 5(a), the third paragraph of 5(a)(e), 5b, 17 through 17a(4), 17a(6), 22.1, 22.4 and 34.10 of the Children and Family Services Act [20 ILCS 505/5(a)(3)(B), 5(a)(3)(G), 5(a)(3)(H), 5(e) through 5(f), 5(a), the third paragraph of 5(a)(e), 5b, 17 through 17a(4), 17a(6), 22.1, 22.4 and 34.10]
107. The Community Services Program
108. The Parents Too Soon Program
109. The Positive Youth Development Program
110. The Title XX - Donated Funds Initiative
111. The Delinquency Prevention Program

B. FROM THE DEPARTMENT OF PUBLIC HEALTH TO THE DEPARTMENT OF HUMAN SERVICES

The following rights, powers and duties by law vested in the Department of Public Health, or any office, division, council, committee, bureau, associated board, or employee thereof, by the following Acts or Sections thereof, and all rights, powers, and duties incidental thereto, are transferred to the Department of Human Services:

1. Section 7(cc) of the Freedom of Information Act [5 ILCS 140/7(cc)]
2. Sections 3, 4, 5.07, 6.01, 6.06, 7.03 and 9.07 of the Civil Administrative Code of Illinois [20 ILCS 5/3, 4, 5.07, 6.01, 6.06, 7.03 and 9.07]
3. Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/1]
4. Sections 4.02a, 4.02b, 4.06, 8.01 and 8.04 of the Illinois Act on the Aging [20 ILCS 105/4.02a, 4.02b, 4.06, 8.01 and 8.04]
5. Sections 5-10, 10-45, 15-5 and 35-5 of the Alcoholism and Other Drug Abuse Dependency Act [20 ILCS 301/5-10, 10-45, 15-5 and 35-5]
6. Sections 17a-12, 22.3, 23 and 35.5 of the Children and Family Services Act [20 ILCS 505/17a-12, 22.3, 23 and 35.5]

7. Section 56.1 of the Civil Administrative Code of Illinois [20 ILCS 1405/56.1]
8. Sections 18.2, 18.3, 50a and 54 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/18.2, 18.3, 50a and 54]
9. Section 96 of the Military Code of Illinois [20 ILCS 1805/96]
10. Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2005/71]
11. Department of Public Health Act [20 ILCS 2305/1]
12. Sections 55, 55.02, 55.04, 55.05, 55.06, 55.07, 55.08, 55.09, 55.12, 55.13, 55.14, 55.15, 55.16, 55.17, 55.18, 55.19, 55.20, 55.22, 55.23, 55.24, 55.25, 55.30, 55.31b, 55.36, 55.37a, 55.38, 55.41, 55.42, 55.43, 55.44, 55.47, 55.48, 55.49, 55.50, 55.52, 55.53, 55.54, 55.55, 55.56, 55.58, 55.59, 55.61, 55.62, 55.63, 55.64, 55.65, 55.66, 55.67, 55.68, 55.69, 55.70, 55.71, 55.72, 55.73, 55.74, 55.75, 55.76, and 55.77 of the Civil Administrative Code of Illinois [20 ILCS 2310/55, 55.02, 55.04, 55.05, 55.06, 55.07, 55.08, 55.09, 55.12, 55.13, 55.14, 55.15, 55.16, 55.17, 55.18, 55.19, 55.20, 55.22, 55.23, 55.24, 55.25, 55.30, 55.31b, 55.36, 55.37a, 55.38, 55.41, 55.42, 55.43, 55.44, 55.47, 55.48, 55.49, 55.50, 55.52, 55.53, 55.54, 55.55, 55.56, 55.58, 55.59, 55.61, 55.62, 55.63, 55.64, 55.65, 55.66, 55.67, 55.68, 55.69, 55.70, 55.71, 55.72, 55.73, 55.74, 55.75, 55.76 and 55.77]
13. Chicago Out-Patient Clinic Act [20 ILCS 2315/0.01]
14. Section 5(f)(11) of the Illinois Emergency Management Agency Act [20 ILCS 3105/5(f)(11)]
15. Section 3(i) of the Asbestos Abatement Finance Act [20 ILCS 3510/3(i)]
16. Experimental Organ Transplantation Act [20 ILCS 3935/1]
17. Section 5 of the First Aid Task Force Act [20 ILCS 3937/5]
18. Sections 2 and 4 of the Governor's Council on Physical Fitness and Sports Act [20 ILCS 3950/2 and 4]
19. Section 2 of the Laboratory Review Board Act [20 ILCS 3980/2]
20. Illinois Planning Council on Developmental Disabilities Law [20 ILCS 4010/2001]
21. Planning Council on Mental Health Law [20 ILCS 4015/1001]
22. Sections 5, 15, 20, 25 and 30 of the Primary Care Medical Education Advisory Commission Act [20 ILCS 4022/5, 15, 20, 25 and 30]
23. Illinois Violence Prevention Act [20 ILCS 4027/1]
24. Section 11A-8 of the Legislative Commission Reorganization Act of 1984 [25 ILCS 130/11A-8]
25. Sections 6b-4, 8.3 and 25 of the State Finance Act [30 ILCS 105/6b-4, 8.3 and 25]
26. Section 4a of the Anti-Pollution Bond Act [30 ILCS 405/4a]
27. Human Services Provider Bond Reserve Payment Act [30 ILCS 435/1]
28. Employee Wellness Program Grant Act [30 ILCS 770/1]
29. Sections 7-172, 8-138.2, 8-230.4, 13-310, 14-108.2a, 14-123.1 and 14-124 of the Illinois Pension Code [40 ILCS 5/7-172, 8-138.2, 8-230.4, 13-310, 14-108.2a, 14-123.1 and 14-124]
30. Section 9 of the Emergency Telephone System Act [50 ILCS 750/9]
31. Sections 3-3013, 3-3014, 3-3015, 3-3016, 5-1053, 5-1059, 5-1063, 5-2000L, 5-23013, 5-23014, 5-23022, 5-23036, 5-25001, 5-25002, 5-25004, 5-25008, 5-25013, 5-25019, 5-25020 and 5-37007 of the

- Counties Code [55 ILCS 5/3-3013, 3-3014, 3-3015, 3-3016, 5-1053, 5-1059, 5-1063, 5-20001, 5-23013, 5-23014, 5-23022, 5-23036, 5-25001, 5-25002, 5-25004, 5-25008, 5-25013, 5-25019, 5-25020 and 5-37007]
32. Regional Ambulance Services Law [55 ILCS 110/1001]
33. Sections 30-120, 30-145 and 190-10 of the Township Code [60 ILCS 1/30-120, 30-145 and 190-10]
34. Sections 11-29-8, 11-29-8.1 and 11-29-14 of the Illinois Municipal Code [65 ILCS 5/11-29-8, 11-29-8.1 and 11-29-14]
35. Section 22 of the Fire Protection District Act [70 ILCS 705/22]
36. Sections 15 and 17 of the Public Health District Act [70 ILCS 905/15 and 17]
37. Sections 23 and 25 of the Hospital District Law [70 ILCS 910/23 and 25]
38. Sections 5, 5.3, 7 and 7.1 of the Tuberculosis Sanitarium District Act [70 ILCS 920/5, 5.3, 7 and 7.1]
39. Sections 8 and 13 of the Mosquito Abatement District Act [70 ILCS 1005/8 and 13]
40. Section 8 of the Sanitary District Act of 1936 [70 ILCS 2805/8]
41. Section 14 of the Metro East Solid Waste Disposal and Energy Producing Service Act [70 ILCS 3110/14]
42. Sections 2-3.12, 2-3.79, 3-14.22, 10-20.17, 10-20.17a, 10-21.11, 10-22.39, 14-7.02, 14-15.01, 27-8.1, 34-18.8 and 34-18.13 of the School Code [105 ILCS 5/2-3.12, 2-3.79, 3-14.22, 10-20.17, 10-20.17a, 10-21.11, 10-22.39, 14-7.02, 14-15.01, 27-8.1, 34-18.8 and 34-18.13]
43. Asbestos Abatement Act [105 ILCS 105/.01]
44. Section 5 of the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110/5]
45. Section 3 of the Sex Education Act [105 ILCS 130/3]
46. Sections 3, 4, 8, 9 and 10 of the Toxic Art Supplies in School Act [105 ILCS 135/3, 4, 8, 9 and 10]
47. College Student Immunization Act [110 ILCS 20/.01]
48. Section 4 of the Health Services Education Grants Act [110 ILCS 215/.4]
49. Allied Health Care Professional Assistance Law [110 ILCS 905/2001]
50. Baccalaureate Assistance Law for Registered Nurses [110 ILCS 915/1]
51. Dental Student Grant [110 ILCS 925/1]
52. Family Practice Residency Act [110 ILCS 935/1]
53. Nursing Education Scholarship Law [110 ILCS 975/1]
54. Podiatric Scholarship and Residency Act [110 ILCS 978/1]
55. Emergency Medical Services (EMS) Systems Act [210 ILCS 50/1]
56. Campground Licensing and Recreational Area Act [210 ILCS 95/1]
57. Youth Camp Act [210 ILCS 100/1]
58. Field Sanitation Act [210 ILCS 105/1]
59. Illinois Migrant Labor Camp Law [210 ILCS 110/1]
60. Mobile Home Park Act [210 ILCS 115.1]
61. Illinois Mobile Home Riedown Act [210 ILCS 120/1]
62. Swimming Pool and Bathing Beach Act [210 ILCS 125/1]
63. Tanning Facility Permit Act [210 ILCS 145/1]
64. Sections 351B-4(f), 356b(c), 356e(2), 356e(3), 367(9), 367(10), and 367b(c) of the Illinois Insurance Code [215 ILCS 5/351B-4(f), 356b(c), 356e(2), 356e(3), 367(9), 367(10) and 367b(c)]
65. Sections 15.8(2), 15.8(3) and Section 15a(b) of the Voluntary Health

- Services Plans Act [215 ILCS 165/15.8(2), 15.8(3) and 15a(b)]
66. Section 7(b) of the Child Care Act of 1969 [225 ILCS 10/7(b)]
67. Sections 23(3) and 23a of the Illinois Dental Practice Act [225 ILCS 25/23(3) and 23a]
68. Section 15(b)(2) of the Dietetic and Nutrition Services Practice Act [225 ILCS 30/15(b)(2)]
69. Sections 18 and 35(b)(14) of the Environmental Health Practitioner Registration Act [225 ILCS 37/18 and 35(b)(14)]
70. Section 15-75(b)(3) of the Funeral Directors and Embalmers Licensing Code [225 ILCS 41/15-75(b)(3)]
71. Hearing Instrument Consumer Protection Act [225 ILCS 50/1]
72. Section 25 of the Medical Practice Act of 1987 [225 ILCS 60/25]
73. Sections 24 and 27 of the Illinois Nursing Act of 1987 [225 ILCS 65/24 and 27]
74. Section 15.1(k) of the Illinois Optometric Practice Act of 1987 [225 ILCS 80/15.1(k)]
75. Sections 25 and 33 of the Pharmacy Practice Act of 1987 [225 ILCS 85/25 and 33]
76. Section 24 of the Podiatric Medical Practice Act of 1987 [225 ILCS 100/24]
77. Sections 12(d) and 16(1)(c) of the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110/12(d) and 16(1)(c)]
78. Section 70 of the Wholesale Drug Distribution Licensing Act [225 ILCS 120/70]
79. Commercial and Public Building Asbestos Abatement Act [225 ILCS 207/1]
80. Private Sewage Disposal Licensing Act [225 ILCS 225/1]
81. Structural Pest Control Act [225 ILCS 235/1]
82. Illinois Plumbing Licensing Law [225 ILCS 320/0.01]
83. Water Well and Pump Installation Contractor's License Act [225 ILCS 345/1]
84. Section 8 of the Meat and Poultry Inspection Act [225 ILCS 650/8]
85. Sections 3-12(13) and 6-15 of the Liquor Control Act of 1934 [235 ILCS 5/3-12(13) and 6-15]
86. Salvage Warehouse and Salvage Warehouse Store Act [240 ILCS 30/0.1]
87. Sections 5-15.5, 5-16.1, 5-16.2, 5-19, 5-21 and 10-17.8 of the Illinois Public Aid Code [305 ILCS 5/5-15.5, 5-16.1, 5-16.2, 5-19, 5-21 and 10-17.8]
88. Sections 7.1, 7.3, 8.1, 8.2 and 11.1(18) of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.1, 7.3, 8.1, 8.2 and 11.1(18)]
89. Section 4 of the Early Intervention Services System Act [325 ILCS 20/4]
90. Sections 1-113 and 5-100 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-113 and 5-100]
91. Sections 10(h) and 30 of the Community Mental Health Equity Funding Act [405 ILCS 70/10(h) and 30]
92. Section 1-3 of the Developmental Disabilities Services Act [405 ILCS 80/1-3]
93. Choke Saving Methods Act [410 ILCS 10/1]
94. Sections 2(a), 4, 6, and 7 of the Coal Mine Medical Emergencies Act [410 ILCS 15/2(a), 4, 6 and 7]
95. Crematory Regulation Act [410 ILCS 18/1]

96. DES Act [410 ILCS 20/1]
97. Lead Poisoning Prevention Act [410 ILCS 45/1]
98. Sections 10 and 15 of the Poison Control System Act [410 ILCS 47/10 and 15]
99. Toxicological Laboratory Service Act [410 ILCS 60/0.01]
100. Illinois Rural Downstate Health Act [410 ILCS 65/1]
101. Sexual Assault Survivors Emergency Treatment Act [410 ILCS 70/1]
102. Illinois Clean Indoor Air Act [410 ILCS 80/1]
103. Cigarette Health Warning Act [410 ILCS 85/1]
104. Section 2 of the Pest and Predatory Animal Control Act [410 ILCS 90/2]
105. Vector Control Act [410 ILCS 95/1]
106. Child Vision and Hearing Test Act [410 ILCS 205/1]
107. Section 4 of the Consent by Minors to Medical Procedures Act [410 ILCS 210/4]
108. Infant Eye Disease Act [410 ILCS 215/0.01]
109. Infant Mortality Reduction Act [410 ILCS 220/1]
110. Prenatal and Newborn Care Act [410 ILCS 225/1]
111. Problem Pregnancy Health Services and Care Act [410 ILCS 230/1-100]
112. Pertussis Vaccine Act [410 ILCS 235/1]
113. Phenylketonuria Testing Act [410 ILCS 240/0.01]
114. Reye's Syndrome Reporting Act [410 ILCS 245/1]
115. Developmental Disability Prevention Act [410 ILCS 250/1]
116. WIC Vendor Management Act [410 ILCS 255/1]
117. AIDS Confidentiality Act [410 ILCS 305/1]
118. AIDS Registry Act [410 ILCS 310/1]
119. Communicable Disease Prevention Act [410 ILCS 315/0.01]
120. Prenatal Syphilis Act [410 ILCS 320/0.01]
121. Illinois Sexually Transmissible Disease Control Act [410 ILCS 325/1]
122. Polio Vaccine Act [410 ILCS 330/0.01]
123. Alzheimer's Disease Assistance Act [410 ILCS 405/1]
124. Alzheimer's Disease Research Act [410 ILCS 410/1]
125. Experimental Cancer Treatment Act [410 ILCS 415/1]
126. Hemophilia Care Act [410 ILCS 420/0.01]
127. High Blood Pressure Control Act [410 ILCS 425/1]
128. Renal Disease Treatment Act [410 ILCS 430/0.01]
129. Rheumatic Diseases Treatment Act [410 ILCS 435/1]
130. Rheumatic Fever and Heart Disease Medicine Act [410 ILCS 440/0.09]
131. Section 2(d) of the Autopsy Act [410 ILCS 505/2(d)]
132. Cadaver Act [410 ILCS 510/0.01]
133. Head and Spinal Cord Injury Act [410 ILCS 515/0.01]
134. Illinois Health Statistics Act [410 ILCS 520/1]
135. Illinois Health and Hazardous Substances Registry Act [410 ILCS 525/1]
136. Marriage, Dissolution, and Invalidity Records Act [410 ILCS 530/0.01]
137. Vital Records Act [410 ILCS 535/1]
138. Illinois Food, Drug and Cosmetic Act [410 ILCS 620/1]
139. Food Handling Regulation Enforcement Act [410 ILCS 625/0.01]
140. Food Safety Transportation Act [410 ILCS 630/1]
141. Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635/1]
142. Hearth Baked Bread Act [410 ILCS 640/0.01]
143. Sanitary Food Preparation Act [410 ILCS 650/0.01]

144. Sections 7(g), 13.1(a), 13.2, 22.2(d) 49, 55.3(1), 55.3(m), 55.6(3)(A)-(D), 55.6(d), (e) and (f) of the Environmental Protection Act [415 ILCS 5/7(g), 13.1(a), 13.2, 22.2(d) 49, 55.3(1), 55.3(m), 55.6(3)(A)-(D), 55.6(d), (e) and (f)]
145. Illinois Water Well Construction Code [415 ILCS 30/1]
146. Illinois Water Well Pump Installation Code [415 ILCS 35/1]
147. Illinois Public Water Supply Regulation Act [415 ILCS 40/1]
148. Section 9.2(c) of the Public Water Supply Operations Act [415 ILCS 45/9.2c]
149. Section 3.01 of the Wastewater Land Treatment Site Regulation Act [415 ILCS 50/3.01]
150. Sections 4, 6(a), 7(b)(1) and 9 of the Illinois Groundwater Protection Act [415 ILCS 55/4, 6(a), 7(b)(1) and 9]
151. Sections 3(2), 18(3) and 19 of the Illinois Pesticide Act [415 ILCS 60/3(2), 18(3) and 19]
152. Environmental Toxicology Act [415 ILCS 75/1]
153. Section 3(g) of the Radiation Installation Act [420 ILCS 30/3(g)]
154. Sections 4 and 5 of the Radon Mitigation Act [420 ILCS 50/4 and 5]
155. Section 8 of the Illinois Hazardous Materials Transportation Act [430 ILCS 30/8]
156. Uniform Hazardous Substances Act of Illinois [430 ILCS 35/1]
157. Illinois Poison Prevention Packaging Act [430 ILCS 40/1]
158. Sections 4 and 5.03 of the Hazardous Materials Emergencies Act [430 ILCS 50/4 and 5.03]
159. Section 2-2(4)(C) of the Carnival and Amusement Rides Safety Act [430 ILCS 85/2-2(4)(C)]
160. Section 5 of the Release of Genetically Engineered Organisms Act [430 ILCS 95/5]
161. Eyeglass Frame and Lens Act [430 ILCS 110/1]
162. Illinois Manufactured Housing and Mobile Home Safety Act [430 ILCS 115/1]
163. Section 7 of the Illinois Milk Promotion Act [505 ILCS 95/7]
164. Section 2 of the Animal Gastroenteritis Act [510 ILCS 15/2]
165. Section 4-302 of an Act in relation to the Vehicle Recycling Board [625 ILCS 5/4-302]
166. Sections 14, 15 and 27.6 of the Clerks of Court Act [705 ILCS 105/14, 15 and 27.6]
167. Section 5-23(9) of the Juvenile Court Act [705 ILCS 405/5-23(9)]
168. Sections 12-18(e), 17B-5, 17B-10, 17B-15, 17B-20, 17B-25 and 26-1(8) of the Illinois Criminal Code [720 ILCS 5/12-18(e), 17(B-5), 17B-10, 17B-15, 17B-20, 17B-25 and 26-1(8)]
169. Sections 2 and 10.1 of the Illinois Abortion Law of 1975 [720 ILCS 510/2 and 10.1]
170. Sections 3-6-2(i), 3-14-1, 5-4-3, 5-5-3(g) and (h), and 5-9-1.7(c) of the Unified Code of Corrections [730 ILCS 5/3-6-2(i), 3-14-1, 5-4-3, 5-5-3(g), 5-5-3(h) and 5-9-1.7(c)]
171. Sections 8-2101 and 8-2103 of the Illinois Code of Civil Procedure [735 ILCS 5/8-2101 and 8-2103]
172. Section 7.1 of the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110/7.1]
173. Section 6-101 of the Local Governmental and Governmental Employees Tort Immunity Act [745 ILCS 10/6-101]

174. Sections 202, 204, 205, 210, 211, 413 and 707 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/202, 204, 205, 210, 211, 413 and 707]
175. Sections 18.1, 18.2, 18.6 and 19 of the Adoption Act [750 ILCS 50/18.1, 18.2, 18.6 and 19]
176. Section 35 of the Parental Notice of Abortion Act of 1995 [750 ILCS 70/1]
177. Sections 2 and 5 of the Organ Donation Request Act [755 ILCS 60/2 and 5]
178. Section 14-1 of the Mobile Home Landlord and Tenants Rights Act [765 ILCS 745/14-1]
179. Section 12 of the Child Labor Law [820 ILCS 205/12]
180. Section 4.1 of the Toxic Substances Disclosure to Employees Act [820 ILCS 255/4.1]
181. Sections 1 and 6 of the Worker's Occupational Diseases Act [820 ILCS 310/1 and 6]
182. Section 2 of the Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Members, Paramedics, Firemen and State Employees Compensation Act [820 ILCS 315/2]

C. FUNCTIONS

The Department of Human Services shall have the authority to exercise the following rights, powers and responsibilities provided by law:

1. Sections 55.27, 55.28 and 55.29 of the Civil Administrative Code of Illinois (Part 10) [20 ILCS 2310/55.27, 55.28 and 55.29]

These changes are effective January 1, 1999.

V. EFFECT OF TRANSFER ON JANUARY 1, 1998

- A. The Department of Public Aid and all offices, bureaus, councils, committees and divisions thereof are abolished effective January 1, 1999.
- B. The terms of the persons serving as the Director and Assistant Director of the Department of Public Aid shall end on January 1, 1998.
- C. Personnel employed by the Department of Public Aid shall continue their service with the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.
- D. Whenever any provision of an Executive Order or any Act or section thereof transferred by this Executive Order provides for membership of the Director of the Department of Public Aid, the Secretary of the Department of Human Services or his/her designee(s) shall serve in that place. If more than one such Director is required by law to

serve on any council, committee, commission, board or other entity, an equivalent number of representatives of the Department of Human Services shall so serve.

E. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers and duties transferred by this Executive Order from the Department of Public Aid shall be delivered and transferred to the Department of Human Services.

F. Effective January 1, 1988, the Department of Public Health shall be named the Office of Health Regulation. All powers, rights, duties and functions not transferred from the Department of Public Health to the Department of Human Services pursuant to this Executive Order shall be vested in the Office of Health Regulation.

G. The terms of the persons serving as the Director and Assistant Director of the Department of Public Health shall end on January 1, 1998.

H. The Office of Health Regulation shall have an officer as its head who shall be known as the Director.

I. Appointments to this office shall be made by the Governor, by and with the advice and consent of the Senate. Vacancies shall be filled pursuant to 20 ILCS 5/12. Until such time as the General Assembly or Compensation Review Board may otherwise provide, the annual salary of the Director shall be at the same rate as that payable to a Director pursuant to 20 ILCS 5/9.21.

J. The Director of the Office of Health Regulation shall hold office from the date of appointment following the effective date of this Executive Order, until January 31, 1999, and until a successor is appointed and qualified. Thereafter, he or she shall serve for terms of two years beginning on the third Monday in January, 1999 pursuant to 20 ILCS 5/13.

K. The Director may create such divisions and administrative units as necessary for the efficient administration and operation of the Department and may assign functions, powers, duties and personnel to carry out the powers vested by law in the Department.

L. Whenever any provision of an Executive Order or any Act or section thereof transferred by this Executive Order provides for membership of the Director of the Department of Public Health, the Secretary of the Department of Human Services or his/her designee(s) shall serve in that place. If more than one such Director is required by law to serve on any council, committee, commission, board or other entity, an equivalent number of representatives of the Department of Human Services shall so serve.

M. All books, records, papers, documents, property (real and personal),

unexpended appropriations and pending business pertaining to the rights, powers and duties transferred by this Executive Order from the Department of Public Health shall be delivered and transferred to the Department of Human Services.

N. Personnel previously assigned to the functions of the Department of Public Health that are being transferred to the Department of Human Services are transferred to the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

O. Personnel previously assigned to functions in the Department of Public Health that are not being transferred to the Department of Human Services shall remain in the Office of Health Regulation. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.

These changes are effective January 1, 1998.

VI. TRANSFER OF POWERS EFFECTIVE JULY 1, 1998 FROM THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The following rights, powers, and duties by law vested in the Department of Children and Family Services, or any office, division, council, committee or bureau thereof by the following acts or sections thereof, and all rights, powers and duties incidental thereto, are transferred to the Department of Human Services.

1. Sections 3, 4, 6.15, 7.08, and 9.16 of the Civil Administration Code of Illinois (Part 1) [20 ILCS 5/3, 4, 6.15, 7.08, and 9.16]
2. Section 4 of the Illinois Welfare and Rehabilitation Services Planning Act [20 ILCS 10/4]
3. Sections 5-10, 10-25 and 10-45 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10, 10-25 and 10-45]
4. The Children and Family Services Act [20 ILCS 505/1]
5. The Civil Administration Code of Illinois (Part 14.5) [20 ILCS 510/55]
6. The Child Death Review Team Act [20 ILCS 515/1]
7. Sections 1-10, 1-25 and 1-30 of the Foster Parent Law [20 ILCS 520/10, 25 and 30]
8. The Foster Care Advisory Council Law [20 ILCS 525/5-1]
9. Sections 3 and 5 of the State Agency Employees Child Care Services Act [20 ILCS 590/3 and 5]
10. Section 7 of the Illinois Emergency Employment Development Act [20 ILCS 630/7]
11. Sections 55.71 and 55.76 of the Civil Administration Code (Part 10) [20 ILCS 2310/55.71 and 55.76]

12. Sections 3, 12a and 13 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3, 12a and 13]
13. Section 2.02 of the Illinois Health Facilities Authority Act [20 ILCS 3705/2.02]
14. Section 2 of the Interagency Coordinating Council Act [20 ILCS 3970/2]
15. Section 1003 of the Planning Council on Mental Health Law [20 ILCS 4015/1003]
16. Section 10 of the Illinois Violence Prevention Authority Act of 1995 [20 ILCS 4027/10]
17. Section 11A-8 of the Legislative Commission Reorganization Act of 1984 [25 ILCS 130/11A-8]
18. Sections 5.147, 5.200, 5.215, 8.27 and 30c of the State Finance Act [30 ILCS 105/5.147, 5.200, 5.215, 8.27 and 30c]
19. Section 10 of the Human Services Provider Bond Reserve Payment Act [30 ILCS 435/10]
20. The Interstate Compact on the Placement of Children Act [45 ILCS 15/0.01]
21. Section 3-3013 of the Counties Code [55 ILCS 5/3-3013]
22. Section 3 of the Child Advocacy Center Act [55 ILCS 80/3]
23. Sections 2-3.30, 14-3.01, 14-15.01 and 27-13.2 of the School Code [105 ILCS 5/2-3.30, 14-3.01, 14-15.01 and 27-13.2]
24. Section 5 of the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110/5]
25. Section 3 of the Sex Education Act [105 ILCS 130/3]
26. The Child Care Act of 1969 [225 ILCS 10/1]
27. The Child Protective Investigator and Child Welfare Specialist Certification Act of 1987 [225 ILCS 420/1]
28. Sections 4-16, 5-5.8b, 5-16.3, 6-1, 6-4, 10-16.2, 11-9, 12-5 and 12-18.6 of the Illinois Public Aid Code [305 ILCS 5/4-16, 5-5.8b, 5-16.3, 6-1, 6-4, 10-16.2, 11-9, 12-5 and 12-18.6]
29. Sections 15 and 25 of the Senior Citizens Child Care Support Act [320 ILCS 45/15 and 25]
30. The Abused and Neglected Child Reporting Act [325 ILCS 5/1]
31. Sections 2, 3, 4 and 7 of the Child Sexual Abuse Prevention Act [325 ILCS 15/2, 3, 4 and 7]
32. Section 4 of the Early Intervention Services System Act [325 ILCS 20/4]
33. Section 1 of the High Risk Youth Career Development Act [325 ILCS 25/1]
34. Sections 3 and 4 of the Family Support Demonstration Project [325 ILCS 30/3 and 4]
35. Paragraph 4 of the Interagency Board for Hearing Impaired/Behavior Disordered Children Act [325 ILCS 35/4]
36. Section 3.5 of the Intergovernmental Missing Child Recovery Act of 1984 [325 ILCS 40/3.5]
37. Sections 3-503 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/3-503]
38. Sections 10 and 30 of the Community Mental Health Equity Funding Act [405 ILCS 70/10 and 30]
39. Section 1-3 of the Developmental Disabilities and Mental Disabilities Services Act [405 ILCS 80/1-3]

40. Section 6-20 of the Motor Vehicle Code [625 ILCS 5/6-20]
41. Sections 1-5, 1-7, 1-8.2, 1-17, 2-6, 2-7, 2-10, 2-11, 2-23, 2-27, 2-28, 2-28.1, 3-9, 3-12, 3-24, 3-28, 4-9, 4-21, 4-25, 5-10, 5-23, 5-24, 5-29, 6-10 and 6-11 of the Juvenile Court Act [705 ILCS 405/1-5, 1-7, 1-8.2, 1-17, 2-6, 2-7, 2-10, 2-11, 2-23, 2-27, 2-28, 2-28.1, 3-9, 3-12, 3-24, 3-28, 4-9, 4-21, 4-25, 5-10, 5-23, 5-24, 5-29, 6-10 and 6-11]
42. Sections 10-5 and 12-22 of the Criminal Code of 1961 [720 ILCS 5/10-5 and 12-22]
43. Section 4 of the Violent Crime Victims Assistance Act [725 ILCS 240/4]
44. Sections 3-6-2(g), 3-10-2(a)(4), 3-10-11, 5-8-6 and 5-9-1.8 of the Unified Code of Corrections [730 ILCS 5/3-6-2(g), 3-10-2(a)(4), 3-10-11, 5-8-6 and 5-9-1.8]
45. Section 15 of the Probation and Probation Officers Act [730 ILCS 110/15]
46. Section 125 of the Child Sex Offender Community Notification Law [730 ILCS 152/125]
47. Section 45-60 of the Secure Residential Youth Care Licensing Act [730 ILCS 175/45-60]
48. Section 1 of the Escaped Inmate Damages Act [740 ILCS 60/1]
49. Sections 505.2, 605, 608 and 706.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505.2, 605, 608 and 706.1]
50. Section 4.1 of the Illinois Uniform Premarital Agreement Act [750 ILCS 15/4.1]
51. Section 26.1 of the Revised Uniform Reciprocal Enforcement of Support Act [750 ILCS 20/26.1]
52. Section 20 of the Illinois Parentage Act of 1984 [750 ILCS 45/20]
53. Sections 1, 4.1, 10, 12.1, 18.3, 18.3a, 18.4, 18.4a, 11-3 and 27-1 of the Adoption Act [750 ILCS 50/1, 4.1, 10, 12.1, 18.3, 18.3a, 18.4, 18.4a, 11-3 and 27-1]

These changes are effective July 1, 1998.

VII. EFFECT OF TRANSFER ON JULY 1, 1998

- A. The Department of Children and Family Services and all offices, bureaus, councils, committees and divisions thereof are abolished effective July 1, 1998.
- B. The term of the person serving as the Director of the Department of Children and Family Services shall end on July 1, 1998.
- C. Personnel employed by the Department of Children and Family Services shall continue their service with the Department of Human Services. The rights of the employees, the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement or annuity plan shall not be affected by this Executive Order.
- D. Whenever any provision of an Executive Order or any Act or Section

thereof transferred by this Executive Order provides for membership of the Director of the Department of Children and Family Services, the Secretary of the Department of Human Services or his/her designee(s) shall serve in that place. If more than one such Director is required by law to serve on any council, committee, commission, board or other entity, an equivalent number of representatives of the Department of Human Services shall so serve.

- E. All books, records, papers, documents, property (real and personal), unexpended appropriations and pending business pertaining to the rights, powers and duties transferred by this Executive Order from the Department of Children and Family Services shall be delivered and transferred to the Department of Human Services.

These changes are effective July 1, 1998.

VIII. CREATION OF JOINT TASK FORCE ON REORGANIZATION

A. CREATION

There shall be established the Joint Task Force on Reorganization.

B. PURPOSE AND DUTIES

The duties of the Joint Task Force shall include, but not be limited to, the following:

1. The Joint Task Force shall serve as a cooperative, information gathering and recommending body. The primary responsibility of the Joint Task Force shall be to assure that the goals and objectives of reorganization set forth herein are adhered to; to make recommendations in keeping with those goals and objectives concerning the design, operations and organizational structure of the new Department of Human Services; and to recommend implementing legislation.
2. In such a capacity, the Joint Task Force shall:
 - a) review and make recommendations on the organizational structure of the new Department of Human Services;
 - b) monitor and guide the implementation of a common information system;
 - c) review and make recommendations on consolidation and/or elimination of fragmented and/or duplicative programs;
 - d) monitor and make recommendations on how best to maximize future federal funding for the new Department of Human Services in light of any federal Medicaid, welfare, and/or block grant reform;
 - e) review and make recommendations on geographic regionalization;
 - f) review and make recommendations on development of common intake and client confidentiality processes;
 - g) review and make recommendations to foster effective community-based privatization;
 - h) obtain a management audit of the Department of Children and

Family Services that is to be completed and submitted to it no later than July 1, 1997; and,

- i) review and make other appropriate recommendations to assure a high quality, efficient, accountable and financially responsible system for the delivery of human services to the people of Illinois.

C. MEMBERSHIP

1. The Joint Task Force shall consist of fourteen members and a Chairperson. The Chairperson and eight of the members shall be appointed by the Governor. Each of the two majority Legislative Leaders shall each appoint two legislators. Each of the two minority Legislative Leaders shall each appoint one legislator. These appointments shall be made no later than June 1, 1996.
2. Members will serve without compensation but may be reimbursed for expenses.
3. The Joint Task Force will be provided staff support services by the Office of the Governor and the agencies of state government directly involved in the reorganization of the delivery of human services.
4. The Joint Task Force will release an Initial Report to the Governor and the General Assembly by January 1, 1997 and a Final Report no later than January 1, 1998. It may submit interim reports as it deems appropriate.

IX. SAVINGS CLAUSE

- A. The rights, powers and duties transferred to or retained by the Department of Human Services by this Executive Order shall be vested in and shall be exercised by the Department of Human Services. Each act done in the exercise of such rights, powers and duties shall have the same legal effect as if done by the former agencies, divisions, officers or employees thereof.
- B. Every person or corporation shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties had been exercised by the former agencies, divisions, officers or employees thereof.
- C. Every officer of the Department of Human Services shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer whose powers or duties were transferred or retained under this Executive Order.
- D. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the agencies and offices transferred by this Executive Order, the same shall be made, given, furnished or served in the same manner to or upon the Department of Human Services.
- E. This Executive Order shall not affect any act done, ratified or canceled or any right occurring or established or any action or

proceeding had or commenced in an administrative, civil or criminal cause before this Executive Order takes effect, but such actions or proceedings may be prosecuted and continued by the Department of Human Services.

F. Any rules of the agencies being reorganized by this Executive Order that are in force on the effective date of this Executive Order and that have been duly adopted by the agencies being reorganized shall become the rules of the Department of Human Services. This Executive Order shall not affect the legality of any such rules in the Illinois Administrative Code. Any proposed rules filed with the Secretary of State by the agencies being reorganized by this Executive Order, that are pending in the rulemaking process on the effective date of this Executive Order, shall be deemed to have been filed by the Department of Human Services. As soon as practicable hereafter, the Department of Human Services shall revise and clarify the rules transferred to or retained by it under this Executive Order to reflect the reorganization of rights, powers and duties effected by this Order, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Department of Human Services may propose and adopt under the Illinois Administrative Procedure Act such other rules as may be necessary to consolidate and clarify the rules of the reorganized agencies that will now be administered by the Department of Human Services.

X. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

XI. EFFECTIVE DATE

Unless otherwise specified herein, this Executive Order shall become effective on the 61st day after its delivery to the General Assembly.

Jim Edgar
GOVERNOR

Dated: March 29, 1996

Rules acted upon during the quarter of April 1 through June 30, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 952 published in Issue 2 will be listed as 50-952-2. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatale@ccgate.sos.state.il.us (Internet address).

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